



USAID
NGA POPULLI AMERIKAN
OD AMERIČKOG NARODA

KOSOVO

EFFECTIVE RULE OF LAW PROGRAM

(EROL)

Final Project Report

(March 24, 2011 – August 31, 2015)

December 1, 2015

Implemented by
Checchi and Company Consulting, Inc.
Contract No. AID-167-C-11-00001

This Report is made possible by the support of the American people through the United States Agency for International Development (USAID).

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INTRODUCTION

This document describes USAID Kosovo Effective Rule of Law Program (EROL) progress from March 24, 2011 – August 31, 2015. The report highlights project accomplishments, discusses results, and suggests ways to resolve the constraints identified during implementation.

The purpose of EROL was to build upon USAID’s prior activities to advance the rule of law in Kosovo. Specifically, EROL sought to 1) strengthen the independence, accountability, efficiency, and effectiveness of the justice system; and 2) bolster public confidence in the rule of law by increasing public knowledge of and participation in the justice system. To do this, EROL focused on four objectives designed to assist justice-related institutions in Kosovo to:

1. Improve the effectiveness of justice sector institutions
2. Increase the efficiency of court operations
3. Improve the professionalism of justice system actors
4. Increase citizen awareness and role in ensuring the delivery justice

This final project report has the following sections:

- Executive summary
- Program highlights, accomplishments and identified constraints
- Recap of the deliverables provided to USAID
- Performance management plan results and tables

EXECUTIVE SUMMARY

The Effective Rule of Law Program played a significant role in the successful evolution and development of Kosovo’s justice sector institutions during an often turbulent and politically charged period when the Kosovo government had only recently assumed control and authority over its justice system from international actors. During its nearly four and a half years of activities, EROL helped Kosovo justice institutions implement a fundamental reorganization of the court structure; helped draft fifty eight laws, regulations or administrative instructions; conducted thirty assessments; developed twenty four legal, judicial or operational training courses; conducted over 12,000 person days of training; developed and implemented seven information management systems; refurbished or made substantial repairs to eighteen court facilities (plus ready-to-build renovation plans for two court facilities in the North); helped create and develop the Forum of Women Judges and Prosecutors; and created multiple public information campaigns, including television PSA’s and over 300,000 brochures distributed in six languages.

EROL’s strong partnership with Kosovo justice sector organizations – as well as collaboration with other ROL implementers – created an environment of mutual respect and cooperation that allowed EROL and partner institutions to adapt and often quickly innovate to ensure programmatic progress. One example is the implementation of the Law on Courts; the law that transitioned the judiciary to a new court structure effective January 1, 2013. In the months leading up to the transition date, EROL worked with the KJC and the courts to inventory, ship, track and verify over 240,000 cases. To make this happen, EROL approached the problem on three fronts: 1) creation of a comprehensive, detailed case transfer plan 2) deployment of a surge in staff into the courts in order to inventory and coordinate the transfer of cases, and 3) development of an automation tool that would facilitate the consistent and accurate capture of pending case information. Working closely with the KJC, judges, and courts’ staff, EROL

developed procedures to identify, map, and document the process for transferring court cases. New court jurisdictions, especially those involving appeals, required cases to be moved between all levels of courts from the Supreme Court to the Basic Courts. EROL, working collaboratively with numerous advisory groups and meetings with court staff and judges, developed the case transfer methodology; central to this methodology was revised case registry books (both manual and electronic, spreadsheet based) that serve as the primary information gathering tool for court case data. Next, multiple EROL teams worked in every court location, including Mitrovica, to support court staff with inputting basic case information and preparing case files for transfer. Ultimately, this case inventory/transfer process populated a database system that was used to create pre-printed registry books for use by each court. Thus,

KJC Secretariat Department Head: “Without the engagement of EROL, the Implementation Plan of the Law on Courts would have been Mission Impossible.”

courts closed under the old system on Monday, December 31, 2012, and then re-opened – fully operational – after the New Year Holidays on Thursday, January 3, 2013, as Branch, Basic and Appeals Courts along with their respective new, pending caseloads loaded into their registry books.

In that same context, EROL also helped the Kosovo Prosecutorial Council pilot the prosecution service into the new court structure. While prioritizing time sensitive needs of the KPC, EROL advised the Council to employ a long-term strategic approach to policy making and problem solving. Specifically, EROL worked with the KPC on the development of policies and regulations to strengthen the Council’s key oversight functions of governance, prosecutor performance and discipline; create a long range strategic plan; and develop a public relations and communication strategy. For example, the new court structure necessarily required the KPC to assess staffing implications and analyze regulations concerning the appointment of new prosecutors and the transfer of current prosecutors and support staff. In particular, EROL helped the KPC to prepare for the new appeals court by helping amend the regulation for the assignment and transfer of prosecutors. The amendments were necessary to facilitate the Council’s recruitment and selection of prosecutors, including minority candidates, for the new appellate prosecution office and the serious crimes department of the basic prosecution office.

EROL also worked to ensure the public was fully aware of the courts’ restructuring. EROL lead the effort to develop the highly successful “This is Your Court” campaign. The campaign was rooted in three separate public service announcements that were appeared on television and radio, and in newspapers and website banners. The multimedia campaign consisted provided the public with pertinent information on the changes to court jurisdictions and how the changes may affect citizens. The campaign was developed with total inclusion in mind – five local languages, including sign language, were used, and the campaign ran for 27 days.

While much of the project’s first two years focused on implementation of the Law on Courts, additional laws (e.g. Law on the KJC) were adopted and EROL worked closely with the KJC and the KPC to draft and implement sub-legal acts (regulations and administrative instructions) required to improve operational and administrative governance of the judiciary. EROL provided substantial legal and regulatory analysis across multiple justice sector institutions. For example, EROL was a primary contributor to draft regulations or instructions on: evaluation and performance of judges, submission of proposals for appointment of prosecutor candidates, Constitutional Court rules of procedure, and the Law on State Advocacy (MOJ). Over the course of the project, EROL drafted, edited, analyzed or substantively commented on fifty eight draft laws, regulations, and administrative instructions.

Another priority was to improve the skills of legal drafters and researchers so they could draft high quality legislation for presentation and review. EROL provided extensive technical assistance to the Office of the President (OP) to improve the drafting skills of legal staff. EROL designed numerous workshops and trainings to build legislative

drafting and analytical capacities. EROL also strove to make these events intra-institutional by including representatives from the larger justice sector, i.e. the OP, KJC, KPC and MOJ. The practical trainings examined the legal basis for initiating the legislative process, legal drafting principles and techniques, and the importance of ensuring consistency and harmonization with other related or impacted laws and regulations in the course of the legal drafting process. Further, EROL conducted training on the legislative review process for the legal staffs of both the OP and the Assembly (in collaborations with USAID implementing partner NDI) in order to strengthen the professional capacities of the legal advisors to conduct, through standardized practice, a comprehensive review of legislation.

While the restructuring of the courts and passage of laws governing their operation created a framework that can guide court users and the public, core functions of the courts require information and systems to handle that information in order for cases to be resolved timely and in an open, transparent process. EROL developed a case tracking system based on the court registry system. This system (“the database”) was originally developed by EROL to help manage the transfer of cases between courts as result of the restructuring. The basic case information captured by the system is the foundation of every court case management system – regardless of cost or complexity – anywhere in the world. EROL began demonstrating the reporting capabilities to judges and court managers and soon the demand for information was set. From that point forward EROL worked with the KJC and the courts on refining, simplifying and reengineering the system to make it more user friendly and intuitive, provide more robust operational and statistical reports, and ensure users enter the information as timely and accurately as possible. During the course of the project, approximately 1,000 court staff were trained on the database.

In addition to the court’s database, information management was a high priority activity for most of EROL’s counterpart institutions. Technical assessments were followed by technical assistance to develop information management systems for MOJ’s legal affairs and international legal cooperation departments (case management systems), the KJI (training database and website), the Constitutional Court (searchable database of decisions accessed through the Court’s website and an upgrade of their case management system), the KPC (web portal), and the KJC and all courts (web portal). For the courts, including the Constitutional Court, EROL was able to provide both initial systems development and implementation along with system upgrading (re-engineering) to take advantage of newer technology solutions and provide improved user experience.

Based on an earlier ROL program, a number of courts were designated early on by EROL as “model courts.” The original plan was to designate a limited number of courts for initial interventions – including training on modern court procedures and process, facility renovation/refurbishment, and introduction of the EROL developed database – however, the mandated restructuring of the courts provided an excellent opportunity to expand the model court concept to all courts. Thus, EROL launched an ambitious program of training, mentoring, infrastructural improvements, and the widespread introduction and use of information management. A central component of the effort was the design and refurbishment of court facilities through the country. The refurbishment process focused on improving the delivery of court services by 1) creating a centralized public information and filing area, 2) renovating and adding courtrooms for additional public access to trials, 3) separating judicial offices from the public areas to increase security and limit *ex parte* interactions, 4) add/modernize translation space, 5) increase static security capacity, and 6) ensure adequate archive space. Applying modern court facilities standards within existing court facility footprints, EROL refurbished eighteen court buildings, made significant repairs to the Mitrovica court facility, and developed architectural, ready-to-build plans for two additional facilities in Zubin Potok and Leposavic.

The Kosovo courts have faced a large backlog of cases for a number of years. With the introduction of information management systems, the courts and the KJC were much better able to identify and quantify how many cases were

pending, how old they were, and at which courts they were pending. Addressing the backlog of cases became a high priority for the KJC and courts, and EROL first approached the backlog issue as part of the program's support to the KJC as they developed a comprehensive backlog reduction plan. EROL provided programmatic expertise the plan was fully adopted by the KJC. To further jumpstart the process of getting older cases closed and in conjunction with the backlog reduction plan, EROL developed a pilot initiative that focused on the backlog of three courts – basic courts in Pristina and Gjakova and the branch court in Podujeve. When the project ended, the EROL led initiative had closed over 11,000 cases and “re-started” the adjudication process for nearly 16,000 more, mostly dormant, cases.

Another key focus was on educating judges and judicial staff. As the primary judicial education organization, the KJI worked closely with EROL to develop twenty seven course modules and curricula for both judicial officers and court operational and administrative staff. The course modules were included in initial and continuing education programs for judges, and by the end of project, nearly all judges had participated in KJI's continuing education programs.

At the request of the Office of Disciplinary Council and in support of collaborative efforts with ECLO/Human Dynamics to improve ethics and discipline policies and protocols within both the KJC and KPC, EROL co-sponsored with the KJC and ODC a Study Tour to the United States. The purpose of the Study Tour was to familiarize council members, KJC Secretariat staff, the President of the Supreme Court, and inspection staff of the ODC with mechanisms and resources aimed at verifying the integrity and lifetime behavior of judicial candidates, promoting ethical behavior among judges, and taking disciplinary measures in cases of misconduct among judges (and prosecutors).

In addition, EROL created a new extensive court administration and management development program. The program was developed jointly between EROL, the KJC and KJI, and their leadership was committed to the long term development of court professionalization particularly as the courts move to a more decentralized model of operations. The program is the first of its kind to focus on training and competency development at both the operational (caseflow management, statistics, judicial support, etc.) and administrative (budgeting, procurement, HR, IT, etc.) levels.

Recognizing the need to learn more about adult education fundamentals, the KJI director and six staff, including a president judge/faculty member, participated in a week-long study tour at the National Judicial College in Reno, Nevada. During five intensive days of training, college instructors introduced the KJI to principles and practices of adult learning, fundamentals of curriculum development, how to conduct training needs assessments and evaluations, faculty development practices and developing e-learning courses – all targeted to ensure KJI's training sustainability.

EROL also worked with the KJI to develop publish and distribute judicial bench books. Consistency and predictability of court decisions is a hallmark of mature judicial systems. Both plaintiffs and defendants should have a reasonable expectation that judges approach their work in a manner that allows for cases to be heard and ruled on based on the individual issues put forward. While judges must look at each case individually, there is a body of procedural laws, rules and practices that ensure the rights and responsibilities of each party are recognized and consistently applied. Bench books cover procedures that are required by statute, regulation, or instruction, and they offer detailed guidance from experienced judges on these requirements and other matters that arise in the courtroom. The materials presented in the bench book were prepared by experienced judges. The bench books were reviewed

by the KJI's working groups – one for criminal cases and one for civil cases created to develop, draft and finalize the bench books.

EROL also used the bench book initiative to foster relationships with judicial actors in the North. As Kosovo worked to implement the Justice Sector Agreement (JSA), EROL was out in front meeting with judicial actors in the North to discuss the issues that judges and court staff would likely deal with as the Kosovo legal framework was introduced. EROL began traveling to the North in order to develop architectural plans for the refurbishment of two (out of four) court facilities designated under the JSA (Zubin Potok, Leposavic and two facilities in Mitrovica). During discussions, one issue was continuously highlighted – language. EROL used the bench book initiative to create a process where the judicial actors had a channel for communicating their concerns on the Serbian language version of the bench while at the same time, becoming familiar with the Kosovo legal framework and associated court operations guidelines.

Although the Constitutional Court is only in its seventh year of existence, it is progressively developing a body of decisional law, which, under the Constitution, is binding on all persons, and all courts and institutions in Kosovo, in similar cases. Also under the Kosovo Constitution, the primary European human rights conventions and covenants are directly applicable in Kosovo, as are the decisions of the European Court of Human Rights. In essence, the Constitutional Court is developing a body of precedential case law that is similar to the body of case law being developed by the ECtHR. For that reason, it became becoming increasingly important that the decisions of the Constitutional Court were easily accessible to Kosovo judges, legal practitioners, and interested persons. EROL supported the development of a modern searchable database for the Court's decisions.

In addition, the president of the Constitutional Court recognized the value of a code of conduct to guide the judges of the Court, and EROL worked closely with members of the Court to develop and adopt a code of conduct for the judges of the Court. Further, the Court promulgated revised rules of procedure pursuant to Constitutional and statutory authority. The rules govern the operation of the court and directly impacted the work of the Court's judges, legal advisors, legal researchers, and support staff, as well as parties and counsel who appear before the Court. Among other purposes, the rules implement provisions of the Constitution and the Law on the Constitutional Court that directly impact the rights of parties seeking to resolve controversies with Constitutional dimensions. The amended rules are also providing much-needed guidance to the growing number of Constitutional law practitioners, as well as *pro se* applicants with requests for the Court's intervention.

In a collaborative effort with DOJ/OPDAT, EROL supported and help establish the Forum of Women Judges and Prosecutors. EROL supported four judges to attend the US National Association of Women Judges annual conference in San Diego, California. The judges also traveled to Washington, D.C. where they met with the International Association of Women Judges, the American Bar Association, and judges from the Superior Court of the District of Columbia where they observed court proceedings. The judges also were also interviewed by the Voice of America. As the Forum began looking at potential activities that would support improvements to the justice sector, EROL provided substantial assistance to the Forum's board development of a strategic plan.

EROL's work with justice sector institutions provided much needed support, innovation and development of processes and procedures that will help guide them into the next stages of improvement and sustainability of services to the public.

PROGRAM HIGHLIGHTS, ACCOMPLISHMENTS AND IDENTIFIED CONSTRAINTS

Objective 1: Effective operations of justice sector institutions

a) Kosovo Judicial Council

In 2011, EROL counterparts launched a major reform of the judicial system with the adoption of the new Law on Courts and Law on the KJC. The laws provided for a complete restructuring involving significant jurisdictional transformations and the elimination of various courts with separate jurisdictions, including the high minor offence court, the district courts and the municipal and minor offences courts. All first instance courts became basic courts, or a respective branch of the basic court, and the second instance was institutionalized in a, appeals court, which serves as the court of final instances for most litigants with the exception of a narrow category of criminal and other cases that are eligible for appeal to the Supreme Court.

EROL played a leading role in organizing, facilitating and providing the analytical and decision-making support necessary to tackle the initial implementation planning process for the LoC. EROL's first step was to assist the KJC to create an action plan for development of the implementation plan for the LoC (Action Plan), which served as the roadmap for the planning process and provided an outline for the development of the final version of the implementation plan process. The Action Plan also identified issues requiring special attention. For example, the Action Plan highlighted the KJC's need to negotiate with other institutions to clarify the legal framework or tackle obstacles such as, inter alia, the procedures, sources, and number of candidates necessary for appointment, transfer, and reassignment of judges to the Court of Appeals. Similarly, the Action Plan made provisions for the possible need to transfer judges among the lower courts and the implications of the LoC on job location and security for civil servants working in the Secretariat and courts. Finally, the Action Plan mandated inclusion of steps related to revision of existing regulations related to records management and the development of new registries.

At the urging of EROL, the KJC also agreed to include in the Implementation Plan the appointment of an ad hoc committee, comprised of Supreme Court judges, to address judicial personnel issues such as the number of judicial positions in each court; the criteria for selecting and proposing judges for transfer/assignment to the court of appeals, and the creation of a court administration working group of judges, court administrators, and representatives of relevant KJC Secretariat departments to address issues such as case files and registries. EROL served as the facilitator for each working group and worked with the KJC to determine the makeup of each committee, define the roles and authorities of each committee, and launch their work. Following publication of the implementation plan, EROL provided assistance to prepare a draft administrative instruction on the transfer/assignment of judges to the court of appeals. This draft instruction provides the steering committee with criteria and a standard application form for the transfer of judges to the new court of appeals.

In addition to immediate assistance directly associated with the implementation plan, EROL advised on and assisted with the crafting of the policies necessary for effective governance by the KJC and efficient functioning of the courts. This assistance included facilitation and drafting of several regulations:

- Draft Regulation on Lay Judges.
- Draft Regulation on the Presidents of Courts; Draft AI on the Compensation on Official Travel Expenses (in and out of country).
- Draft Administrative Instruction on the Use and Payment of Incidental Expenses by Court Presidents.
- Draft Administrative Instruction on the Compensation of Members of the KJC and Other Officials, assigned to participate on committees and working groups.

- Draft Administrative Instruction on the Appointment, Compensation and Engagement of the KJC Committee on Wrongful Convictions and Arrests.
- Draft Administrative Instruction on Management of Judicial Revenue and Judicial Deposit;
- The Regulation on the Evaluation of the Performance of Judges. This regulation establishes criteria and procedures for President Judges to evaluate the work performance of subordinate judges.

Leading up to the implementation of the Law on Courts, EROL worked closely with the KJC and Secretariat to not only ensure compliance with tight deadlines, but to build skills and capacity of key staff members at the KJCS in an effort to ensure long-term sustainability. To that end, EROL insisted on a true working partnership of KJCS staff and court staff who participated on six committees or work groups that held 51 productive meetings during the period of April 4 to October 2, 2012. During the work, EROL identify two critical issues: (1) the LoC did not include provisions to deal with minor offenses, though such provisions existed in the prior law, and (2) the unclear role of the Supreme Court in third instance appeals. First, the LoC repealed the Law on Minor Offences without replacing it with a new law. Second, the LoC identified the new court of appeals as the court for second and third instance appeals. This shortcoming in the LoC could have had serious repercussions in the allocation of judicial resources and potential issues of rights to a fair trial and other problems for litigants. Both problems were solved with amendments to the LoC reinstating the Law on Minor Offences and clarifying that the court of appeals would handle second instance appeals only, leaving third instance appeals to be reserved to the Supreme Court. Amendments were approved in the last session of the Kosovo Assembly in 2012.

In addition to the amendment of the LoC, considerable work was also necessary to draft and approve the regulations required to make implementation of the LoC legal, and to provide instructions to assist court personnel and judges in effecting the transition. The most substantial regulation was the Regulation on Organizational Matters and Activities of the Courts, based on the LoC and the Law on the KJC. Adoption of this regulation was necessary for the courts to function on January 1, 2013. As the largest sub-normative act of the KJC regarding courts, the regulation clarifies the competencies of the President Judges, Supervising Judges, court administrators, deputy court administrators and all other non-judicial court personnel. In addition, the regulation contains provisions on the organization of the departments and offices within each court and how each interrelates. Registries of cases, case management and other details of court operations are covered as well. EROL took the lead in supporting the drafting of the Regulation for the Internal Organization of the Court. Starting with the existing regulations on courts, three sub-working groups – human resources, case management and court administration – were formed with members of the KJCS, judges and court administrators. EROL facilitated multiple meetings of each sub-working group and provided technical advice and translation services for the groups. Each sub-group submitted recommendations and the KJC adopted the final regulation on December 26, 2012, in time to distribute it to all courts. A few necessary amendments to this regulation were subsequently approved and adopted on January 4, 2013. EROL provided all necessary assistance for the amendments, including technical advice and translation services.

During Phase II of the implementation process (October 1 through December 31, 2012) and at the request from the KJC for technical assistance, work focused primarily on a key component of the court restructuring – the transfer of more than 240,000 cases from courts operating under the old to the newly established structure. In many situations the transfer of cases did not involve physical movement of files because those cases remained in the courthouse where they were originally filed; however, approximately 9,600 transferred cases were physically moved; with EROL guidance, from one courthouse to another. The case transfer project consisted of three teams: the data collection team to capture the data; the logistics team to assist and train local court staff in the verification of the

transferred cases, as well as to assist in the physical movement of cases; and the strategic team to coordinate all aspects of the case transfer project from case files to database development.

The creation and maintenance of a comprehensive, reliable database was an absolutely critical component for the transfer of cases. EROL developed a relational database on a web platform so all courts would have access; this was done simultaneous to the data-collection efforts. EROL, in collaboration with (and in an effort to continue building capacity skills and sustainability) members of the KJCS staff and court personnel, performed an inventory of all cases pending in Kosovo courts. The EROL-developed database also served as the backbone of the accountability system that tracked the transfer of case files and was ultimately populated with case data collected in the field. To complete the inventory work EROL used retained 26 database entry assistants (DEAs) as temporary employees. The DEAs, EROL's regional court liaisons and other staff, working with KJC and court staff, then collected essential information pending cases in the courts. EROL then delivered a list of all pending cases to each basic court, the court of appeals and the Supreme Court.

EROL overcame a major obstacle concerning the collection of data and case files from the Mitrovica District and Municipal Courts; namely the inability of staff to travel to the court facility because of security concerns despite the fact that it is a totally renovated Model Court. Following a significant amount of time and elaborate coordination with the KJC, chief judges from the Mitrovica courts, and security officials from EULEX and the Kosovo Police, EROL was able to transfer second instance cases from the Mitrovica facility to the temporary Central Records Management Office on the KJC campus. Case files were processed according to the EROL case transfer protocol plan and then handed over to the custody of the Court of Appeals Court Administrator in Pristina.

Recognizing that implementing the LoC would require not only physical changes in court structure, but also organizational changes in the mindset of court leaders and staff, EROL led a change management workshop for members of the KJC, directors of the KJC Secretariat and members of working groups involved with judicial transfer and court administration issues. EROL built on this event by conducting additional leadership seminars for president judges and administrators in all courts in Kosovo. Additionally, EROL and the KJC jointly sponsored a number of transition planning workshops for judges, administrators and court staff who received updates on the process for transition to the new court structure.

EROL's focused technical assistance to the KJC helped build a firm foundation for the new court structure by strengthening the capacity of the KJC to govern the court system and the transition process; assisting the KJC Secretariat to execute the planning process; and clarifying the respective roles and responsibilities of the KJC, the KJC Secretariat, and the courts in carrying out the transition. EROL addressed both the short-term need for planning, policymaking, and regulatory drafting and the long-term institutional capacity needs associated with leadership of the KJC and the KJC Secretariat's managerial effectiveness. The KJC also requested assistance with several critical areas of long-term institutional capacity, including governance of the KJC itself, human resources management, public outreach through traditional and electronic means, and ethics and discipline. EROL assisted the KJC to assess the policy, legal, institutional, and political implications of various options and to select ways forward that would comply with reasonable interpretations of the laws as written, minimize negative consequences for individuals, and offer the greatest chances of improved effectiveness of justice in the courts. EROL was able to help the KJC make credible decisions despite difficult circumstances and subsequently to serve as a source of discipline for timely planning and execution of the implementation plan and a flexible source of expertise on operations, information management, and communications strategies and policies.

EROL also participated in drafting a package of three internal acts of the KJC:

- Administrative Instruction on Compensation of Members of the KJC and Other Officials in Committees and Working Groups – this instruction defined rules and procedures for financial payments to members of the KJC and other officials for committee and working group participation.
- Regulation on Recruitment Procedures for Apprentices in Courts – this regulation established procedures for recruitment of apprentices in the courts and KJC.
- Administrative Instruction on Compensation Procedure for Persons Wrongfully Convicted or Arrested – this instruction defined the selection of committee members that oversees compensation claims, the procedure for submitting claims to the committee, and the compensations available to victims and the requirements for persons to submit claims.

As the lead advisor to the working group developing amendments to justice-sector laws, EROL reviewed, edited, and compiled comments and proposals regarding the amendments. These efforts required close coordination with officials of the KJC, KPC, MOJ, and representatives of the international donor community.

EROL efforts to institutionalize and improve standards of ethics and conduct in the judiciary resulted in a jointly-funded study tour to the United States. EROL worked with the United States Federal Judicial Center (FJC), the Administrative Office of the U.S. Courts (AO), and the Minnesota Judicial Branch (MJB) to arrange and deliver a program of meetings with judges and staff responsible for vetting, education, training, consultation with, and review of allegations of misconduct on the part of judges. Each of these institutions identified relevant speakers and session facilitators from among judges, judiciary and disciplinary committee support staff, and attorneys, including prosecutors, and each institution worked with EROL staff and consultant to develop a robust program of activities supported by briefing books with translated materials, including all relevant policies, codes and laws that were discussed during the ethics discipline systems discussions. Host institutions, and in some cases speakers, donated their time as well as institutional resources, including space, host institution background materials, and copy/printing of specially prepared delegation materials in English and/or Albanian (translated by EROL). In Washington, the delegation spent a day with senior staff of the FJC, the research and training arm of the U.S. federal judiciary. FJC staff provided an overview of education and training programs and training programs specifically aimed at providing ethics education and training to judges and court staff, and also explained how FJC programs are integrated with AO and U.S. Federal Judicial Conference resources and activities as part of a comprehensive effort to support judges and court staff to exercise their duties in an ethical manner in accordance with Judicial Conference policies and enacted legislation. The delegation also met with Counsel to the Federal Judicial Conference and Senior Counsel of the AO to learn about the specific resources provided to judges to help them handle ethical dilemmas and ensure proper financial disclosure and to receive an overview of the disciplinary process as outlined in federal legislation. Judge John Tunheim of the U.S. Federal Court for the District of Minnesota explained the process of judicial appointments and led a discussion of the importance of and elements reviewed to determine the integrity of judicial candidates in the U.S. federal judiciary and in select state court systems.

EROL also worked with the KJC and their working groups to develop a code of professional ethics for the KJC. The Code was adapted to conform to the duties and responsibilities of the Judicial Council, and revised to reflect the Judicial Council's policy outlook.

A major development occurred in 2013 as normalization negotiations between Kosovo and Serbia began, with focus on the rule of law in the North. At the time (and with some continuous aspects still in place), the North had a parallel

Serbian court system with no judicial system based on the Kosovo legal framework. Discussions on integration were protracted, requiring the chair and director of the KJC to dedicate the better portions of many weeks in Brussels. Their lengthy absences throughout the year highlighted the lack of depth within the secretariat, and delayed or sidetracked much of their planned work. For EROL, it created a difficult environment to move many important initiatives forward since the absence of KJC leadership meant few decisions were made. This impacted work on the KJC strategic plan, adoption of a number of sub-legal acts and even basic improvements in the Secretariat's support to the council.

Despite these challenges, EROL was able to work with the KJC's strategic plan committee – a diverse group appointed by the KJC chair representing the judiciary and civil society – to approve the strategic plan during the final week of the year. The road to approval was complex: the KJC had requested EROL's assistance as facilitator of the committee that included members of the council, the secretariat, president and supervisory judges, a EULEX judge, representatives of the KJI, two members from civil society organizations, and the EU office in Kosovo. A small working group from the committee met several times to create strategic objectives from needs identified, and to create a basic work plan for each strategic objective required by the KJC's regulations. EROL's assistance ranged from guidance to substantial substantive contributions, so that unlike the KJC's first strategic plan, which was adopted but not used as a guiding document, the KJC and its working groups were fully invested from initial needs assessments, to drafting objectives and action plans for each strategic objective.

Another KJC success achieved with significant EROL assistance was a revised national backlog reduction strategy promulgated by the council. The KJC was compelled to adopt a revised backlog reduction strategy, as the first one adopted had not reduced the backlog. The work that EROL did in developing a database tracking the courts' cases was the first step toward understanding the backlog. The Council, with continued input and support from EROL, adopted a new strategy with 11 separate initiatives to sustain backlog reduction.

Although the KJC failed to adopt a large number of sub-legal acts to fully implement the LoC, EROL was able to assist with the drafting and adoption of two important regulations. First was a regulation on the appointment and re-appointment of judges, and second a regulation on performance evaluation of judges. These regulations ensured that sufficient judges would be available in the courts, and respectively, a system would be in place to consistently evaluate judges' performance. EROL was heavily involved in drafting and review of both regulations, along with Human Dynamics (implementing partner of the EU office in Kosovo).

EROL's continued development and improvement of the database was instrumental in the KJC's ability, for the first time, to accurately assess and analyze the number of new judges needed to serve the judiciary. The Secretariat used the EROL database to identify the number of cases per each court – both backlog and current caseload – to determine the number of judges needed. The Secretariat, in cooperation with EROL, presented the process used to arrive at concrete estimates; EROL assisted with this presentation to president judges and the council, who agreed with this assessment. The Council subsequently approved the vacancy notice for new judges based on the Secretariat's projections. The Council was also required to decide the mandate of 47 judges who had been appointed during a period where there were interim rules in effect. The judges all had some break in service which might determine whether their mandate was initial or permanent. The Council relied heavily on EROL's legal analysis in making this important decision.

Recognizing that the judicial system has to do a better job of open communication with the public and working more closely with the media, EROL also organized training for newly hired public information officers in each

court and at the Secretariat. The training covered basic to advanced media relations – from writing press releases and conducting interviews to the more complicated and delicate balance required in crisis communications. EROL also organized regional round tables with local courts and media, both as a continuation of its outreach programs and as a training event for the new public information officers in Peja, Prizren, Ferizaj and Mitrovica. These programs provided a forum for court representatives to openly dialog with journalists.

EROL faced an additional obstacle in 2014 when the unprecedented loss of a quorum on the council occurred when the mandates of three members ended in August. These losses plus the two vacancies that had existed on the council for almost three years meant that the council could not function. And all five vacancies were constitutionally required to be elected by the Assembly. Unfortunately, the Assembly was in its own crisis created by the formation of coalitions *post-election*. The issue of the coalition's standing was ultimately taken to the Constitutional Court where it ruled the coalition was not valid. This created an impasse that kept the Assembly from functioning for almost half the year, and no new members of the council (resulting in the quorum being reestablished) were named until March, 2015. During this time when there was no quorum, EROL led KJC efforts to prepare the Assembly to act on electing members as soon as a new Assembly was seated. EROL assisted development of a list of potential judicial candidates for the vacant positions, even though the judiciary is not obligated to do this. EROL worked with the KJC to provide the Assembly with a list of potential qualified candidates. EROL also developed a meeting manual to help orient the new members and to provide clear expositions of the duties and responsibilities of the chair, KJC support staff and council members in managing council and committee meetings. The manual is complete in Albanian, Serbian and English and will be the subject of a working meeting of the council as soon as that meeting can be scheduled. Also included is a summary of interviews with each council member designed to stimulate discussion on how the council can become more of a strategic leader of the courts.

Before the council lost its quorum it adopted a strategic communications strategy, and EROL evaluated and commented on several iterations of amendments to the four judicial laws, a new law on minor offences, and a concept paper and draft law on the office of disciplinary counsel. The communications strategy developed by the KJC and

the courts with EROL's guidance was approved by the council during its last meeting before it lost its quorum. The strategy encompasses regulations and instructions. The instructions provide guidance for court staff (particularly PIOs) in using modern media technologies and public relations best practices to ensure that Kosovo's court system is accessible and responsive to the public. The comprehensive package includes six documents: the KJC Communications Strategy, the Communication Strategy Implementation Plan, the KJC Media Guidelines, the KJC Crisis Communications Plan, the Regulation on KJC Communications Coordination Office, and the Regulation on the Court Public Information Officers. This work is the finalization of a thorough process conducted by EROL, in collaboration with the



Public Information Officer training

KJC, court presidents and staff, and public information officers. The communications strategy documents aim to improve and streamline all communications activities of the KJC and the courts. EROL provided training for PIOs in implementing the strategy and later in dealing with the specific topic of ensuring that the judiciary speaks with one consistent message, even though the message may be delivered by PIOs from different courts or the KJC. The latter training also included president judges.

EROL led the effort – in collaboration with the KJC, the courts’ working group, and with European advisors – to begin work on a plan for delegating certain administrative competencies from the secretariat to the basic courts. The work was done in three sub working groups for personnel, budget and finance, and procurement and logistics. The regulations have been largely drafted by the personnel sub-working group. Draft regulations and instructions now exist which should be presented to the council early in the extension period to support the decentralization.

During the final five months of the project, the Minister of Justice resurrected the amendment process for the four judicial laws after years of dormancy. Amendments to the four judicial laws – the Law on Courts, the Law on State Prosecutor, the Law on the KJC and the Law on the KPC – have been in the works since 2012. At first a large working group was formed, which included EROL, to produce a package of amendments to the laws. But after only two meetings the process was taken internally by the Ministry of Justice. For a long period of time nothing was done. But beginning in 2014 a series of high level meetings began and over a period of time a package of amendments took shape, but without participation of any international donors or advisors. When unofficial versions of the draft amendments became available, it was clear that there were few technical amendments and many amendments clearly for special interests. Finally a series of meetings took place in which the international community of advisors and the beneficiary organizations participated to try and remove the special interests. The final package sent by the MOJ to the government and then to the Assembly includes the following amendments that provide major changes to the laws:

Law on Courts

- Amending Article 27 -- after judges are appointed they must undergo 12 months of training in the KJI (unless they have judge experience).
- Amending Article 32 -- Judges can't earn more than 25% of their basic salary in extracurricular activities.

Law on State Prosecutor

- Amending Article 20 -- after prosecutors are appointed they must undergo 12 months of training in KJI (unless they have prosecutor experience).
- Amending Article 25 -- Prosecutors can't earn more than 25% of their basic salary in extracurricular activities.

Law on KJC

- Council members cannot be president judges.
- Rules for proposing and selecting council members by the Assembly. Assembly dismisses members elected by the Assembly.
- Council organizes entry exam for judges.

Law on KPC

- Major reorganization of council from 9 to 13 members.
- Council members cannot be Chief Prosecutors.
- Minister of Justice no longer a member of the council.
- Chief State Prosecutor is a member but no longer the chair of the council.

- Non prosecutor members are elected by the Assembly with rules for proposing and selecting by the Assembly.
- The Council will now have a Secretariat.

Prior to the end of the project, the Assembly had still not elected two additional members to the council. Adding to the shortage of members, one of the members, whose successor must be elected by the judges, reached the age of mandatory retirement. The council had not by then adopted a regulation governing the election of members from the judiciary, so EROL drafted a proposed regulation which was circulated to other international advisors, considered by the Normative Committee and approved by the council with some changes. Because the Constitution and existing laws require efforts at gender balance on the council and because one of the amendments to the Law on the KJC specifically requires action by regulation to achieve gender balance, the regulation adopted by the council contained a provision requiring the council to assess the gender composition of the council at the time a vacancy announcement is necessary. The council determined that since there are only two women on the council that there was an imbalance and the vacancy announcement required that only women could be nominated for the vacant position.

In addition, the package of amendments to the four judicial laws requires the publication of all final judgments of all courts. EROL investigated the process and procedure now in use in the court system for making judgments final. EROL also evaluated the Kosovo legal requirements necessary to anonymize information in judicial decisions to comply with the law. Based on detailed models in use in Croatia and Montenegro, EROL drafted a proposed instruction on the procedure for anonymization by court personnel of private information such as names of parties and a procedure for posting anonymized final judgments on the judicial website.

The manual that EROL completed on the responsibilities of the chair, members and staff of the council and the effective management of council meetings was distributed to council members in a workshop preceding one of the council meetings in 2015. The manual provides clear guidance for holding meetings including simple internal rules of order and contains all the relevant laws and sub legal acts governing council member obligations.

a) Kosovo Prosecutorial Council

At the outset EROL initiated an analysis of KPC regulations and recommended priorities for drafting of regulations and administrative instructions to guide the work of the KPC and activities of the State Prosecutor that fall under the governance of the KPC. However, the KPC's decision-making was often rushed and unilateral, and based on a combination of rapid legal analysis and assessment of the political landscape rather than on established long-term goals and objective. This deficit in institutional capacity, coupled with a lack of internal technical expertise in public policy, management or administration, limited KPC's resources to establish strategic governance and build operational and management capacities. In response, EROL provided focused support to the KPC for strategic planning and development of an implementation plan to ease the transition to the new court structure under the LoC. And, EROL quickly began to provide direct technical and drafting assistance to the KPC and mentor KPC administrative staff to assess institutional development needs and develop optimal strategies for working with donors to build capacity and improve the Councils' governance.

During the first year, EROL had opened a constructive dialog with the Chief State Prosecutor and presented strategic planning processes to help the Council prioritize capacity building goals and define desired results-oriented interventions by donors. EROL supported the development of concrete activities and institutional objectives to improve resource management, administrative effectiveness and prosecutor professionalism.

As part of this assistance, EROL advised the KPC prosecutor performance review unit (PPRU) to draft an implementation plan for the Law on the State Prosecutor. With EROL drafting input and guidance, the KPC adopted the implementation plan that included priority objectives, activities, tasks and outputs that align with the timeline contemplated by the KPC's draft strategic plan. EROL and the PPRU also led a working group to develop a first year work plan, which the Council adopted. The plan thoroughly mapped all transition details and the Council took the lead in setting up committees to review resources and manage the system conversion. EROL encouraged the KPC to adopt a holistic approach with its transition and planning activities. EROL's support for the strategic planning process provided the KPC with the basic building blocks for dialog with donors and helped expand the KPC's understanding of its own mission and priorities beyond law enforcement tasks and to integrate administrative effectiveness, public outreach, and institutional capacity building into its goals and objectives.

EROL supported the KPC with developing secondary legislation, ranging from the terms of reference for the directors of the prosecutor performance review unit through the development of specific working groups that generated the methodology for prosecutor evaluation, the KPC's 2012 work plan, and the implementation plan for the transition contemplated under the Law on the State Prosecutor. Additionally, EROL worked with the KPC and the Office of the President to negotiate and draft regulations and instructions for selection, proposal for appointment, appointment, and dismissal of prosecutors. An administrative instruction on submission of proposals for appointment as prosecutor, entered into force on September 30, 2011.

When the KPC requested assistance from EROL to analyze and make recommendations for improving a draft regulation on transfer and promotion of prosecutors, EROL responded with an extensive review of the document and identified gaps in existing language of the draft and provided policy analysis geared toward helping the KPC recognize the importance of integrated long-term norms for transfers and promotions with performance evaluation, professional development opportunities, career enhancement, and institutional goals and objectives. EROL recommended that the KPC draft a regulation to assess the effectiveness of the recently developed norms and prosecutor performance evaluation criteria and to create a comprehensive performance and professional development mechanism that would both create incentives for prosecutors to take on difficult posts and serve the system's need for flexibility; the KPC passed the regulation. EROL also advised the Council to employ a long-term strategic approach to policy-making and problem solving in order to serve the goals and objectives of the justice system beyond the transition.

EROL also worked closely with KPC supporting their efforts to develop a code of ethics. Following several EROL-led drafting workshops, the KPC adopted and issued three (3) separate codes of ethics applicable to Council members, frontline prosecutors and prosecution support staff, respectively. The materials also included a manual containing commentaries to enhance apprehension of the codes' principles and concepts. As a way of building the KPC's capacity for implementation of the ethics codes, EROL facilitated a training-of-trainers (ToT) session to equip prosecutors with skills to provide regular ethics trainings through the curriculum of Kosovo Judicial Institute. The development of these codes of ethics was an important step in strengthening the prosecutorial institutions and they were designed to help serve as a critical foundation for the public's confidence in the efficiency and effectiveness of the prosecutorial system. The codes promote excellence in public service through the pursuit of identified core values and provide assurances to the public that the membership of governing bodies are accountable for maintaining a high level of professionalism, which will promote public confidence in governmental institutions.

The new court structure delineated in the LoC necessarily required the KPC to assess staffing implications and analyze regulations concerning the appointment of new prosecutors and the transfer of current prosecutors and

support staff. In particular, EROL helped the KPC to prepare for the new court of appeals by participating in the working group tasked with amending the regulation for the assignment and transfer of prosecutors. The amendments were necessary to facilitate the Council's recruitment and selection of prosecutors, including minority candidates, for the new appellate prosecution office and the serious crimes department of the basic prosecution office. During the process, EROL successfully persuaded the Council to allow for qualitative information about a prosecutor to be captured in the transfer process and weighed equally with statistical data indicating compliance with norms.

Transfer decisions compelled by the LoC were not limited to prosecutors; the law impacted prosecution support staff as well. Consolidation of courts meant that staff (e.g., professional assistants, secretaries, legal offices, typists, drivers, security, etc.) had to be moved to support a yet-to-be-determined ratio of support vis-a-vis prosecutors. EROL helped the working group tasked with developing the new regulation on transfer and assignment of prosecution service support staff create a framework by examining several documents, including the regulation of civil servants, the law on civil servants, and examples from Europe and the U.S. The Council unanimously adopted the regulation.

Coinciding with its transfer and appointment activities, the KPC revisited its desire to amend the existing regulation governing prosecutor performance and evaluations. EROL participated in the working group tasked with amending the regulation defining the procedures and criteria for performance assessment of prosecutors. EROL viewed a demonstration of a KPC developed database that captures statistical data and generates reports that measure performance against established norms. As with the appointment and transfer processes, EROL again advised the KPC that evaluations of prosecutors must include qualitative measures in addition to statistical analysis of norms if the Council is to fulfill its duty of ensuring increased professionalization of the prosecutorial function in Kosovo.

The KPC also sought EROL's advice about how to amend its disciplinary regulation. Working in collaboration with the European Office in Kosovo (EUOK, formerly ECLO), which held the lead implementer role in the sphere of prosecutor/judge discipline, EROL provided technical assistance in drafting amendments to the KPC's regulation on the performance of the disciplinary committee. Many issues of the disciplinary process needed improvement in the regulation, including how evidentiary proceedings are conducted, the standard and burden of proof used, the right and grounds to appeal, remuneration during suspension, and the length of time it takes the ODP to issue a disciplinary decision. Often, prosecutors become subjects of disciplinary complaints for mistakes emanating from poor performance rooted in inadequate training rather than for overt acts of misconduct. EROL encouraged the Council to allow for alternatives to the disciplinary measures in the current regulation and to recognize the need to distinguish performance issues (e.g., failure to meet job performance expectations) from actual incidents of misconduct (e.g., intentional failure to follow a written workplace rule). During drafting sessions, EROL recommended the Council (1) define and distinguishing the deference between actual misconduct that requires discipline compared to a performance issue that arises when a prosecutor fails to meet job performance expectations and (2) explain types of corrective actions (e.g., training) that may be imposed as appropriate disciplinary measures. Much of EROL's work ended up in the final draft version of the amended regulation.

At the request of the KPC, EROL provided an analysis on how the new LoC would impact the Council's composition beginning in 2013. EROL, in collaboration with USDOJ, presented a joint analysis, which was adopted by the Chair, concluding that two Council members must relinquish their position on the Council because their respective status as a district and municipal prosecutor will cease to exist under the new court structure; the change in status triggers the end of the members' term by operation of law. In addition, EROL with DOJ, helped facilitate the first

all-prosecutor conference in Kosovo on December 8, 2012. The main purpose of the event was to address the necessary changes to the Council's membership composition, and to obtain prosecutor recommendations regarding the Council's selection of chief prosecutors of the new basic and appellate prosecution offices. The approximately 103 prosecutors who attended the conference submitted recommendations via secret ballot.

EROL worked with the KPC to address a variety of issues including (1) hiring and compensating experts used in a criminal trial (new criminal procedure code element), (2) analyzing the impact of the new criminal code and CPC on prosecutor workload, (3) harmonizing forms used in combating organized crime and (4) amending the regulation governing the function and activities of the KPC. One of the most significant regulations addressed by the Council concerned the function and activities of the KPC. EROL participated on the working group that essentially re-wrote the regulation so that it more accurately reflected the organization and work of the Council. Many of the ideas advocated by EROL were reflected in the amended regulation, including the use of permanent committees; strategic and annual planning; public relations, a dedicated website; protection of data; and budget management.

In collaboration with USDOJ, EROL assisted the KPC develop a three-year strategic plan for inter-institutional cooperation in combatting organized crime and corruption. The working group consisted of five members, including

three prosecutors from the special prosecution office of Kosovo (SPRK). With USAID approval, EROL participated in four three separate working group meetings held by the KPC in connection with its strategic plan for combatting organized crime and corruption. One meeting was dedicated to identify all corruption offenses in the new criminal code so that statistics of prosecutions of these offenses may be harmonized across all government law enforcement institution. A second meeting focused on standardizing report formats used by all government entities that conduct organized crime and corruption investigations. The goal is to improve the efficiency of prosecutors who work with numerous criminal reports submitted during investigations and prosecutions of corruption and organized crime cases. The final meeting involved harmonizing the memoranda of understanding regarding the sharing of information of organized crime and corruption by law enforcement bodies with the OSP.



KPC workshop to develop their Strategic Plan

To help the KPC increase transparency and public confidence, EROL approached the KPC and suggested it consider developing and executing proactive public and media outreach activities to bolster public knowledge of and participation in the justice system and ongoing reforms. The Council acknowledged a need to take proactive steps to communicate its mission and successes directly to the public at large. EROL's communication-related support to the KPC was designed to help the KPC (1) systematize internal communication within the judicial and the prosecution systems; (2) optimize justice system external communications with citizens and the media, and (3) formulate strategies and establish procedures to achieve goals (1) and (2). EROL developed and presented the KPC a concept paper that described communication planning and how to analyze internal and external communications strategies. The KPC agreed to follow crisis communication guidelines in accordance with EROL-recommended formats designed to manage issue-driven crises and negative publicity and to build the institution's reputation. EROL delivered to the Council for official adoption (in 3 languages): (1) media guidelines; (2) crisis communication guidebook; (3) communication strategy plan; (4) communication strategy implementation plan; and (5) administrative instruction governing internal communication.

While working with KPC management to develop sound communication policies and strategies, EROL simultaneously facilitated skills training for the KPC spokesperson and other PR staff working in the justice sector. The trainings were wide-ranging, teaching a plethora of topics such as how to deal with high profile crisis, the importance of outreach activities, dealing with barriers of public access to the justice system, and the role of websites and social media. Many of the trainings used practical exercises and interactive mock interviews – with in-class critiques – to demonstrate verbal and nonverbal communication skills, media interview methods, and message development and delivery techniques. Spokespersons were provided tips on proactively communicating with media and gained a basic understanding of media characteristics. Skills training also included a train-the-trainer workshop at which participants learned from court leaders the most frequent requests made by media and citizens.

EROL also focused efforts to complete the development of a new web portal for the KPC, and delivered substantial training to the Council's public relations office. And, at the Council's request, EROL initiated Legal English classes for eight legal department officers who had requested this training to improve reading comprehension of English documents.

As with the KJC, EROL continued to enjoy a cooperative and productive working relationship with KPC's European advisors. In particular, under an MOU between EROL and Human Dynamics, Human Dynamics took the lead in developing a regulation on the appointment of new prosecutors and one on the evaluation of all prosecutors. This partnership was especially productive, as EROL and its donor counterpart coordinated activities reviewing drafts and providing commentary. The results were not only regulations, but included useful manuals for each process including templates for significant documents.

During the third year, EROL's support to the KPC included drafting and review of a regulation for the selection of a new chief state prosecutor. The chief state prosecutor and chair faced mandatory retirement in August 2014. The Council sought international assistance in developing a regulation setting out the procedure for hiring a new chief state prosecutor. The DOJ and EULEX supported the staff in preparing a draft regulation. EROL participated in the council meeting where the final draft was completed. It was adopted by the Council along with a notice of vacancy document.

EROL also focused on strengthening communications skills of KPC staff, as well as KPC external communication to the public. EROL contracted with a developer to design a new web portal for the KPC. The design was approved by the council, with EROL coordinating the technical effort with KPC IT staff. Portal design was a vast improvement on the KPC's former web presence – the new portal included several iterations of pages providing user access points to information on the office of the prosecutor, chief state prosecutor, the KPC Secretariat, the seven new basic prosecutorial offices, mediation information, and for the first time, the public access to online feedback forms, links for crime victims, and job vacancies. EROL assisted the KPC, facilitating meetings with the developer, and translating content into three languages. The web site launched before the end of EROL's third year and the KPC's IT department oversaw its sustained technical operation, maintenance and upgrading.

For most of the fourth year, the Council was absorbed with the nomination process for a new state prosecutor. Early in the year, the KPC went through a process that resulted in the nomination and a non-selected candidate appealed that decision. Ultimately there was a judgment from the Constitutional Court which threw out the election of a new chief state prosecutor/chair. The two issues addressed by the Constitutional Court -- the consistency of scoring form within a package of attachments in the regulation on the appointment, and the decision to allow a member of the

council to vote who was not one of the three finalists but was an applicant – are within the regulation on the appointment of the chief state prosecutor/chair. The council determined that it would start the whole process from square one, beginning with announcing a vacancy. Therefore, the council directed the Normative Committee to review the regulation and recommend amendments. An acting chief state prosecutor was eventually appointed. The KPC worked on the revision of the regulation that caused the Court to annul the nomination process, and finalized that regulation and re-announced the vacancy at the end of the calendar year. The KPC then completed the new selection process; however during the process four of the five candidates for the position withdrew. This left as the remaining candidate the same prosecutor as under the first nomination attempt. While a chief state prosecutor was eventually named, the start-stop-stop process resulted in some very public, very political, and very unseemly conflicts on the council over management and the mandates of the members.

b) Kosovo Ministry of Justice

The Ministry of Justice (MOJ) possesses enormous responsibility for advancing the rule of law in Kosovo. It is critical therefore that the MOJ skillfully draft laws, policies and regulations that promote sound public policy objectives and are void of internal contradictions or conflicts with legislation produced by other ministries. Ultimately, this requires MOJ lawyers and advisors be adept at analyzing and advocating public policy proposals and demonstrate exceptional technical drafting skills. Early on, EROL provided an introductory course for the MOJ's Department for Legal Affairs (DLA) that examined the importance and process of public policy development and legislative drafting; this interactive, hands-on exercises intended to improve problem identification and analysis of whether a new law or amendments would be the most effective mechanism for addressing the policy issues identified.

Near the end of the project's first year, the MOJ requested that EROL support legislative drafting groups that would be charged with drafting amendments to the four core laws affecting the judicial and prosecutorial systems (LOC, LSP, LKJC, LKPC), as well as the Law on State Advocacy. EROL proposed to support each working group with expertise on problem identification and policy analysis; legal analysis (including comparative analysis); legislative drafting; and harmonization of the four laws with one another and with other relevant legislation. As part of this assistance, EROL would also worked with the MOJ to ensure common use of terminology and definitions within and among the four laws, as well as ensure that the translation and definition of each term is consistent in each language. EROL cautioned that too often in the drafting process, terms and definitions are left to the end when there is rarely time to negotiate the use of terms or to harmonize language. As a result, different terms are used – even within the same law. Inconsistent translation and the lack of standard translation of terms into English and Serbian have resulted in acute confusion about the intent and meaning of the Constitution and the aforementioned laws. In fact, many of the difficulties faced by justice sector institutions are directly related to drafting errors and inconsistencies between laws and between translations of each law – this has been true throughout the life of the project.

The Department for International Legal Cooperation (DILC) was the designated department of the MOJ charged with handling requests by foreign governments in criminal and civil cases. The effective execution of international legal assistance requires both adequate processes, as well as an understanding of international standards. As part of their advisory assistance, EULEX worked with DILC to develop a formal policy, which is expected to be promulgated as a regulation or instruction for handling requests and cases in criminal matters. After lengthy discussions, EUOK and EULEX agreed to limit their assistance to criminal and family matters, and EROL committed to providing training on civil matters. EROL immediately conducted a training needs assessment and workshop for DILC's legal officers, including TOT. EROL then provided training focused on (a) Kosovo laws relating to international

legal assistance in civil matters; (b) international principles relating to international legal assistance in civil matters, with a focus on the Hague Conference and the European Union; (c) service; (d) taking of evidence; (e) legalization/apostille and recognition and enforcement of foreign judgments; (f) issues in the Kosovo legal, regulatory and institutional regime for international legal assistance in civil matters, and (g) conclusions/updates of the practice manual. Based on the training, DILC developed standardized forms for use by the Kosovo courts in international legal assistance in civil matters (the forms were based on the format of existing Hague Conference forms); the forms were also made available on the MOJ webpage. EROL subsequently incorporated training on international legal cooperation for judges and relevant court staff through the KJI. More than 70 judges from Kosovo basic courts attended training that provided up-to-date information about legislation and practice regarding recognition and enforcement of foreign court judgments. The training provided knowledge of procedures for recognition and enforcement of foreign court judgments and legal principles determining which foreign court judgments can be recognized or enforced, and clarified current law and judicial practices, to achieve uniform treatment of foreign judgments in Kosovo courts. Judges and DILC staff were brought together to discuss ways to improve communication and handling of requests between the DILC and the courts and to develop concrete recommendations that may be taken into account when a law on international legal cooperation in civil matters is finally drafted. Based on the training and discussions, EROL published a manual to serve as a comprehensive reference tool for effective resolution of requests for foreign legal aid in civil matters.

At DILC's request, EROL also assisted with training staff on cross-border cooperation in service of documents and enforcement of judgments. The training program followed the most recent legislative developments in the international and European legal context regarding recognition and enforcement of foreign court judgments, service of documents, and collection of evidence. Training focused on EU conventions governing this area, and the application of international and national procedures when handling requests for international legal assistance. EROL also assisted the DILC with drafting a concept paper for a new law on international legal cooperation in civil matters to replace outdated existing legislation.

EROL also facilitated the participation of legal officers from the MoJ's Division for Judicial Litigation in the EROL developed trial advocacy skills training conducted through the KJI.

EROL supported the MOJ in its effort with the preparation of an analysis of policy alternatives for a draft law on state advocacy that reviewed the Croatian, Albanian, and Delaware laws on state advocacy as representative examples of three different approaches. EROL presented the analysis to MOJ representatives and twenty one stakeholder representatives. The draft law submitted by EROL was reviewed and revised during additional workshops and conferences. Through that process, EROL focused on building institutional capacity for a style of legislative drafting that is based upon policy analysis. EROL sought not only to improve technical drafting capabilities but also to engage the MOJ in stakeholder analysis by encouraging the MOJ to bring together a larger audience to discuss alternative models and their implications for the system of representation of the government in litigation.

Although the State Advocates Office was created, during the life of the project, the position of State Advocate (head of the office) was never filled and thus there was no counterpart to work through so that legal capacity development initiatives could be planned and implemented. However, EROL did work through the MOJ to develop a software application that would provide a sophisticated database and case management capability to SAO. EROL obtained MOJ approval for its concept for the database and case management system and subsequently issued a contract to a vetted software development company. The system was implemented to track matters and their associated actions

and documents from inception to close; it is fully operational with SAO staff entering and updating data on a daily basis.

The introduction of dedicated CMS systems for the DILC and SAO allowed them to improve the following processes:

- Maintain an electronic record for each case (including scanned versions of all case documents), which will allow re-producing the physical record in case of physical damage or loss
- Facilitate generation of aggregate reports that will help the DLA or DILC management to track progress of individual cases and monitor and evaluate the performance of the department
- Enable the easy creation of weekly schedules of court proceedings that the Legal Officers will need to attend
- Accommodate the sharing of case information among all department users that will have access to the database system
- Keep records and thus analyze information and generate statistics on case parties (institutions, individuals, or attorneys)
- Provide for an alert/notification mechanism on key upcoming case events that need to be attended to or tasks that have due date approaching
- Enable following-up on recently received case requests all the way through completion independently from their relevant cases
- Provide for an alert/notification mechanism on key requests that need to be attended to or tasks that have due date approaching

c) Chamber of Notaries

At the specific request of USAID, EROL met with representatives of the Swiss Development Office (SDO), and agreed that the SDO will take the lead in this area. EROL and SDO representatives agreed that EROL’s work in this area would be limited to supporting identification of areas of potential conflict of the Law on Notaries with other laws or justice sector actors, and suggestions for harmonization of the law with other primary and secondary legislation.

Early in the project, EROL conducted an extensive analysis of the Law on Notaries with recommended improvements. The review was critical of the basic framework and was met with a degree of resistance from counterparts and USAID partner donors. USAID and EROL reengaged and attended a MOJ working group meeting where it was decided that EROL would participate in the working group and support the KJC to identify implications of the introduction of the notary system so that the MOJ, Swiss implementers, and the judiciary would be able to develop plans to address the needs of the courts and citizens emerging from the transition process. EROL supported the KJC during the implementation of the notary system.

d) Mediation activities

When the USAID SEAD program ended in 2012, EROL took over management of the mediation centers. In 2013, the follow on project to SEAD, CLE, took over the mediation center management. Final statistics for the centers while under EROL are as follows:

Pejë	Total
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Cases reviewed by EROL for potential referral	857
Cases selected by EROL and judge for potential referral	548
Cases referred to mediation (agreement to mediate signed and mediator selected)	78
Cases settled through mediation and approved by court	33
Cases not settled and transferred back to court	21
Cases in progress	24
Gjilan	
Cases reviewed by EROL for potential referral	699
Cases selected by EROL and judge for potential referral	542
Cases referred to mediation (agreement to mediate signed and mediator selected)	81
Cases settled through mediation and approved by court	47
Cases not settled and transferred back to court	35
Cases in progress	0

e) Office of the President of the Republic of Kosovo

The Office of the President (OP) plays several important roles related to the justice sector, including the constitutional functioning of government institutions; protection of the rights of minority communities; appointment or co-appointment of security and intelligence leadership; declaration and oversight of security and intelligence forces during states of emergency; granting of pardons; and appointment and dismissal of judges and prosecutors, including appointment and dismissals of the President of the Supreme Court and the State Prosecutor upon proposals from the Kosovo Judicial Council and Kosovo Prosecutorial Councils respectively. Early on, EROL worked with the OP to develop the policies and procedures to carry out its responsibilities and exercise its authority effectively while also respecting the competencies, policies, and procedures of other institutions – such as the KJC and KPC – that are also accountable to the public for the transparency and effective functioning of the justice system. The OP, KPC and KJC share responsibility for ensuring that those individuals, who are invited to the bench and the prosecutorial system have the knowledge, skills, personal qualities, and behavior required to administer justice within the parameters of the Constitution and laws of Kosovo while remaining both independent in their judgment and accountable to the public for the fairness, efficiency, and transparency of their procedures, actions, and decision-making processes. EROL assistance helped to identify conflicts and inconsistencies between the Constitution and the four key laws (LOC, LKJC, LSP, and LKPC) that influence appointment, transfer, and dismissal of judges and prosecutors and helped all three institutions distinguish between issues that could be solved through inter-institutional negotiation and/or sublegal and those issues that would require legislative amendments to be resolved adequately. As a result, the KJC and KPC attempted to address those issues that would benefit from legislative amendments in draft recommendations prepared in March 2012.

The cornerstone of EROL work with the OP was a series of intra-governmental roundtables to support analysis and drafting of provisions governing judicial and prosecutorial appointment and transfers. Participants were diligent in examining the differences between specific and non-specific court appointments, and paid special attention to ethnic composition requirements mandated by the Constitution. Government participants also reviewed the policies to identify areas vulnerable to political influence in the process. In addition to resolving issues among the three institutions and identifying problems that would require legal reform to be solved, the intra-governmental roundtables proved effective in establishing open dialogue between justice sector institutions and building a common interpretative approach for demarcating ambiguities concerning constitutional powers. The roundtables also helped the KJC and KPC to find areas of common interest, for which the councils could develop or advocate for common standards and procedures. The process also helped the KJC and KPC to define a handful of unique constitutionally mandated authorities and distinguishing institutional characteristics that would require different approaches, poli-

cies, and procedures. EROL produced flow charts outlining on one page the conditions, criteria, institutional authorities, and processes, outlined in the Constitution and each law. Where there was disagreement among legal documents, each flowchart presented the given norm as reflected in each document separately and thereby helped the institutions to zero in on problematic language and discuss alternative interpretations and options. In some cases, it remained impossible to find a common interpretation, to which all three institutions could agree. In other cases, EROL was able to assist with recommendations or to conduct further research on the intent of drafters of the specific law in question, or on the interpretation of similar language or norms through comparative analysis of similar norms in Kosovo legislation, in international law, or in comparable country contexts.

By providing direct technical assistance to the OP's legal department, EROL also raised the capacity of the OP staff to draft and review legislation, including the procedures governing such nomination and appointment processes. EROL's efforts led to the codification of two administrative instructions that govern how the KJC and KPC propose candidates for appointment as judge or prosecutor, respectively, and two regulations that govern the process the OP must follow to appoint candidates as judges and prosecutors. EROL also strove to make these events intra-institutional in the sense that they included representatives from all the justice-sector institutions in Kosovo (namely the OP, the KLC, the KPC and the MOJ) as participants. The practical trainings examined the legal basis for initiating the legislative process, legal drafting principles and techniques, and the importance of ensuring consistency and harmonization with other impacted laws and regulations in the course of the legal drafting process. Another important component of the law-making process is the ability of the OP's legal staff to review proposed legislation prior to promulgation by the President. EROL conducted training on the legislative review process for the legal staffs of both the OP and the Assembly. EROL conducted workshops to strengthen the professional capacities of the legal advisors to conduct, through standardized practice, a comprehensive review of legislation and demarcate the scope of Presidential review by identifying the permissible categories in which such legislative review may occur. Providing such structure to the review process was particularly indispensable when legislative activity was high and deadlines loomed. EROL developed and provided counterparts a checklist containing a list of items to be considered when reviewing legislation. Additionally, EROL designed a template for the OP legal department to use when it decides at the conclusion of its review process to return a law to the Assembly for further work or amendments. As a capstone activity, EROL in cooperation with the OP prepared and published legislative review guidelines.

EROL was also asked to evaluate the issue of "simultaneous proposals" to the OP by both Councils for the appointment of the same person. The purpose of the analysis was to determine how the OP should handle situations, in which both the KJC and KPC had received applications from the same individual, and both Councils deemed that the candidate should be proposed for appointment to their respective institutions. EROL assessed issues such as whether the individual applicant, Councils, or the OP should be responsible for determining which proposal should be reviewed by the President and whether it was appropriate for the OP to request that the candidate withdraw one proposal prior to final review of each proposal and/or prior to official appointment of the candidate. Following EROL analysis the candidate in question withdrew both applications.

In order to further define presidential powers contemplated by the Constitution, EROL produced a draft report on presidential powers in the justice sector. The report not only represented a theoretical elaboration of the powers of the President entrenched in Art. 84 of the 2008 Kosovo Constitution, but it also highlighted constitutional ambiguities that were ripe for further regulation to promote proper exercise of presidential powers. Additionally, EROL provided the OP with legal analysis on the presidential competency to pardon individuals convicted of criminal acts to assist the OP to develop guidelines aimed at standardizing criteria and processes for reviewing pardon applications. EROL conducted a comparative analysis of various models governing constitutional pardon powers, as well

as structures and processes in place to support the presidential pardon power, and provided recommendations on criteria and procedures for presidential pardons.

As the President completed the multiple rounds of judicial and prosecutorial appointments (candidates that had completed the introductory legal education program at the Kosovo Judicial Institute), the KJC and the KPC were able to meet critical staffing objectives as represented by their respective implementation strategies. The appointments were constitutionally sound and the process was conducted through administrative protocols that EROL designed to ensure legality, transparency and fairness of the process.

EROL also helped the OP consider how it can better communicate with citizens on matters involving, but not limited to, the judicial and prosecutorial appointment process. Through a series of trainings and roundtables, EROL created a venue for an intra-institutional discussion on issues pertaining to effective and structured communication in the justice sector. EROL conducted consultative meetings with representatives from the OP to discuss possible ways of supporting its public communication efforts. EROL developed questionnaires and conducted a needs assessment to identify specific demands of the OP in the area of public communication. Based on the findings of the needs assessment, EROL conducted a workshop for OP public information officers to create a targeted communications strategy. The workshop introduced participants to contemporary approaches and techniques in overcoming public communication barriers, ensuring qualitative message delivery, and strategies for communicating matters involving judicial and prosecutorial appointments. Based on participant feedback, EROL drafted media relations guidelines that are intended to improve the flow of justice-related information from the Office of the President to the public through media; to educate the public about the important but limited role of the President in appointing Kosovo judges and prosecutors; and to strengthen relations of the Office of the President with media by encouraging public participation in justice sector reform processes. Follow-up training brought together media relations officers from the OP, the KJC and the KPC to comment on the draft media relations guidelines and share experiences and challenges in an effort to improve the document. The OP has indicated that it uses the guidelines when conducting public communication in the justice sector, while always being mindful of the need to be transparent without sacrificing standards of data protection and the constitutional requirements related to the privacy

EROL successfully completed the Legal English Program (LEP) for OP legal officers. The program consists of three courses with fully developed curricula, syllabi, session plans, in-class exercises and homework exercises, instructor notes and examinations. The LEP includes a lower intermediate module, intermediate module, and legal research and analysis module. Four legal officers from the OP attended in order to strengthen their capacity to work with foreign experts or when they are called upon to incorporate legal or institutional standards from donor countries into their own sublegal regulations, policies and practices.

Objective 2: Increase efficiency of court operations

f) Model courts

EROL organized and provided resource materials for the initial meeting of the model courts consortium and engaged consortium members – model court presidents, administrators and engineers – to consider and develop recommendations and procedure amendments based on lessons learned during initial implementation of the model court program under the previous program. Feedback was obtained from model courts consortium during site visits to existing model courts and courts nominated by the KJC for participation in the first phase of the EROL MCP. EROL also took steps to identify areas of overlap between model court standards and required actions under the implementation plan for the LoC and to take steps to prioritize the introduction of model court standards that would

facilitate successful execution of requirements under the implementation plan. EROL identified measures mandated under the implementation plan that could have a negative impact on the long-term goals and objectives of the MCP if not designed or carried out in accordance with internationally-accepted court management standards. Following selection of the initial model Courts, EROL met with each Presiding Judge and worked with him or her to appoint representative court improvement teams (CIT) for each selected court. Each CIT is composed of the court president, court administrator, judges and other key staff. CITs participated in EROL mentor sessions aimed at building leadership skills, as well as an in-depth understanding of court management and performance management concepts. Through preliminary site visits and participatory planning sessions held with each of the initial eight selected courts, CIT members received orientation on all MCP court improvement procedures and discussed the changes that will take place before and after refurbishment. Additionally, EROL introduced court management and performance management concepts to judges and CIT members, including creative ways to secure buy-in by the affected audiences. During each facilitated planning session, CIT members were taught how to develop positive messages about the planned renovations for court staff and how to highlight new organizational structures that accompany the renovations that will allow the courts to improved efficiency, transparency, access, and accountability in the judicial system. EROL also initiated a process through which each of the selected model courts designed a community-based public information campaign.

EROL worked hand-in-hand with the Kosovo Judicial Council leadership, KJCS department heads, and court leadership and staff across Kosovo to synchronize LoC implementation efforts and the development of refined court operations and administrative practices grounded in MCP standards and adapted to meet the changing needs of the courts. Much focus was placed on court leadership, emphasizing the necessity for president judges and court administrators to accept more responsibility and ownership of the work that needs to be accomplished in the courts. EROL reinforced the need for cross-training of all court staff, the importance of monitoring work, and the need to engage everyone in the operational training programs that are available.

In addition, redefining court process methods and staff roles to improve efficiency - and by extension, public transparency – was introduced to affect a fundamental internal culture change that rejects practices rewarding minimal performance. During the implementation of court improvement initiatives, there was sometimes open acknowledgement from the courts that top performers following model court standards are often pressured to maintain the status quo. EROL recognized that at times the court’s most commendable staff were not held out as successful examples, but instead compelled to underperform. However, EROL looked at the fact that court staff recognized and openly discussed this issue was a step in the right direction, as sustainability of best practices can only result when the courts acknowledge and drive positive change and solid work ethics. With that in mind, EROL provided targeted assistance specifically designed and delivered to affect short- and long-term impact on the judiciary, court employees and members of the public. EROL activities built an operational framework so that courts progress toward a culture rewarding well-performing staff based on merit and institutionalized process based achievement. EROL assisted court management by cooperative development of strategic plans for all president judges, court administrators, and key operational staff. EROL training enabled courts to invest in their own regional strategic operational plans (SOPs) focusing on strengthening internal infrastructure and communication, records and case management, and training. EROL worked alongside court staff to develop regional plans with four elements for each area: a strategic objective and description of the objective; the objectives’ priority; a target date for task completion; and milestone accomplishments.

Based on the development of the courts’ strategic plans, EROL conducted regional meetings with each regions’ backlog reduction committee to agree on a process for the courts to uniformly assess their workload, report reliably

on backlog and the current workload, define and implement case processing strategies that take advantage of collective rather than individual action, and finally, to monitor and evaluate their progress towards their reduction goals and objectives. The assessment designed by EROL was presented at the meetings and adjusted according to court feedback. The assessments helped focus the courts to look beyond counting numbers of cases, and examine the status of individual cases, the actions taken to date, and those needed to move the case forward towards disposition. The courts will categorize cases by the actions needed and work more holistically rather than relying on the current practice of one case-one action at a time. Within the guidelines of the EROL developed national backlog reduction strategy, courts were given the liberty to be creative in their approach. EROL consistently encouraged courts to work together towards the common goal, to share resources, information and approach methods. For many courts, this is the first time they have had access to concrete data broken down categorically in a way that demonstrates real options for dealing with backlogs and predicting future caseload trends.

In the midst of strategic planning development and initiatives to reduce the backlog, EROL recognized significant issues with court staff communication skills, specifically delivering meaningful messages and constructive criticism. EROL engaged a national consultant to deliver a series of workshops to assist judges and court staff in building effective communication skills. Participants studied why the manner in which information is delivered has a significant impact on how that information is received, and why reflective communication avoids misunderstandings and builds solid office relationships. EROL ensured the training included developing public-facing skills as well – customer service communication skills for court staff – including court security staff – who are most times the first person the public may encounter at the courts. Altogether, EROL supported 17 workshops delivered to 580 court staff - including president and supervisory judges, court and assistant administrators, division chiefs, clerks and typists.

EROL also stepped in to train the new statisticians, using the database to demonstrate what could be measured and what kinds of reports could be generated, and why such reports were critical to the work of the courts. EROL also engaged the American University of Kosovo to provide an intensive three-week training course on basic, intermediate and advanced Excel skills. All statisticians attended training at the same time to allow for mutual skills building and networking. This training and EROL's interventions have demonstrated concrete results, improving statisticians' skill sets to create reports specific to the needs of court leadership. When EROL deployed the web-based database to all courts in all regions, and initiated a training program for all staff, including judges, EROL trained approximately 1,000 staff. As training continued, staff enthusiasm grew, even among judges. For the first time, court staff realized tangible benefits derived from real-time access to case data. As court staff became more and more familiar with the database, EROL could scale down its data entry staff, and by mid-2013, all courts had, for the most part, taken on the responsibility of entering data as part of its daily workflow. Supporting this effort, EROL delivered a workshop for IT staff to demonstrate the database functionalities, user troubleshooting, and to discuss the roles and responsibilities of IT staff within their courts and in relation to the KJCS. EROL also conducted additional "database reviews" for president judges, court administrators and statisticians, to reinforce their understanding and usage of the system.

Contemporaneously, EROL worked to enhance the database's features in order to add greater value for the courts, including reports critical for president judges and court administrators developing backlog reduction strategies. Search and filtering options to increase data accuracy were implemented so that court staff could readily identify and correct common data entry errors. EROL also revised reports so that staff could parse data by court, or by individual or groups of judges and case types. This data could then be viewed in either a summary (total number of cases) or detailed format (all individual cases that make up the summary total). To ensure reliability and build

sustainability, before making any change to the database, EROL sought input from court users, securing their investment in new updates.

Based on the results of a comprehensive backlog analysis at four basic courts, EROL began developing the concept of Backlog Reduction Teams (BRT) to assist courts in addressing and resolving backlog. EROL, in coordination with the KJC, selected the Gjakova basic court and Podujevo branch courts to receive support through embedded BRTs. EROL completed MOU's between the KJC, Courts and EROL outlining the parameters and expectations of each organization for the duration of the support effort. EROL conducted the recruitment and selection of all personnel with final approval from each court. EROL accepted and screened over 100 applications – for the two initial eight-person teams. Based on a direct request from the President Judge of the Pristina basic court, and after reviewing the initial results from in Gjakova and Podujevo, EROL expanded the BRTs and subsequently embedded 14 staff in the Pristina basic court; each was individually assigned to the civil case judges and work one-on-one with their assigned judge.

The backlog reduction initiative has proven that judges can be, and are, more efficient when they have the necessary administrative support of either a legal assistant or professional associate; with them, judges resolve more cases. That said, the underlying system of how cases are managed and move through the adjudication process must be further improved to ensure continued backlog reduction and reduce the number of cases that actually become part of the backlog, namely cases over two years old.

BRT initiative results though the end of the reporting period as follows:

Pristina Basic Court:

- Cases reviewed: 252
- Cases in which draft orders or decisions were written: 169
- Cases in which orders or decisions were signed by a judge: 169
- Cases closed for exceeding the statute of limitations: 0
- Total cases closed this week: 32
- Total cases reviewed/worked on to date: 11,964
- Total cases closed to date: 1,700

Podujevo Branch Court:

- Cases reviewed: 104
- Cases in which draft orders or decisions were written: 99
- Cases in which orders or decisions were signed by a judge: 99
- Cases closed for exceeding the statute of limitations: 0
- Total cases closed this week: 86
- Total cases reviewed/worked on to date: 14,248
- Total cases closed to date: 4,057

Gjakova Basic Court:

- Cases reviewed: 98
- Cases in which draft orders or decisions were written: 51
- Cases in which orders or decisions were signed by a judge: 51

- Cases closed for exceeding the statute of limitations: 0
- Total cases closed this week: 40
- Total cases reviewed/ worked on to date: 14,937
- Total cases closed to date: 5,122

EROL also worked closely with counterparts and contracted developers to design, develop and populate a comprehensive and user friendly web portal for the judiciary. EROL partnered with the Gjilan Basic Court Region as the pilot region to assist in the development of the structure of web pages for all courts in Kosovo. This partnership quickly resulted in a sound and well informed framework for the development both static and active content pages to be maintained by individual courts as well as centralized pages to be maintained by the KJC Secretariat. Following the development of the courts' content page templates – which were approved by the KJC for use by all courts – EROL coordinated and facilitated regionally based training for court IT personnel who will become regional administrators managing and overseeing the creation and upkeep of portal users, troubleshooting content editing issues and working as the liaison with the KJCS to create, edit and delete system wide content pages. That training was immediately followed by training for all regional content editors – those court staff who will be responsible individually and collectively for the content of their regions pages. A significant efficiency included in the web portal design was the ability to upload, in real time, scheduling information for trials and hearings and a third round of training was provided to all court staff specifically for this topic. EROL conducted on site training for all legal secretaries so they can directly enter all hearing dates, times and locations for their respective judges.

EROL's continued work within case processing, backlog reduction and use of technology all reiterated the need for the courts and the KJCS to seriously analyze and reconsider how they report case data and produce statistical reports. EROL engaged a reporting and statistics advisor to assess, analyze and make recommendations as to how the courts can streamline processes, increase accuracy and reliability of statistical reports and timely respond to internal and external requests for case statistical data. The advisor's work included interviews with all courts, court levels and staff currently involved in reporting, focus group meetings for case-type by case-type assessments and working sessions with court statisticians, administrators and the KJCS statistics department. EROL was able to document and confirm what many already knew, that the current system of reporting invites errors, enables undocumented adjustments and is a labor intensive process that results in inconsistent and unreliable results which often cannot be validated nor recreated when needed. EROL worked with the KJCS to redesign and streamline the annual and quarterly reporting forms and reached agreement with the KJCS to develop well informed narrative to accompany all future statistical reports. EROL also produced the first draft of a comprehensive manual with guidelines for all courts and court levels related to reporting and statistics. The manual covers reporting for all cases types and introduces system wide processes and procedures, standardizes terminology and reporting requirements and provides detailed guidance on units of counting, case categories and definitions, reporting categories and definitions, types of disputes and definitions, case status types and definitions, resolution types and definitions, case completion types and definitions – none which previously existed.

After time, the original design and operating system used in the database was reaching a point that performance was not meeting the requirements of court users. EROL determined that the system should be reengineered to improve the user interface, operating system (including security protocols) and capacity to create case management reports. The reengineering also provided for fully multi-lingual (Albanian, Serbian, and English) versions that can be selected at all access points. Where the prior system displayed 3 languages on a single screen the new system now offered users access in their preferred language only. The system would also accept input in all 3 languages.

The original database required significant user effort to enter case data, in fact all data was typed into the required fields. The potential for error was high and a review of the data during the development of the data migration methodology confirmed it. The reengineered database reduced the potential for errors by creating pull down menus where all required data – except for party names – are standardized. Users enter court location, judges, case types, etc. through the pull down menus. Cases cannot be entered without all required information. For dates, the database employs a “data check” protocol that will reject certain dates, for example a filing date that is in the future, or a closing date that is prior to the filing dates.

Search functionalities were enhanced and were driven by users’ assigned privileges. Users now search for cases using specific dates, assigned judges, and case types as well as party names. Users with multi-court access can also search within specific courts or across all court in which they have access.

There is also increased user security with the option to select user access privileges at the court, department or case type levels. Court administrators, president and supervisory judges now have access to information from across their regions without the need for multiple user profiles (as was the case with the original database). Access to the edit feature is now applied to users only where it is needed. Judges are now provided with case lists individualized to the cases in which they are assigned and have edit capabilities with those cases and also have view access to all cases within their assigned divisions. Clerks are provided with case data entry modules designed around the registration and post resolution processes in which they operate.

Critical to its purpose, the reengineered database was designed so that all the courts and the KJC have access to reports on case data and workload statistics. EROL eventually worked with the KJCS statistical department to conduct region by region workshops to discuss the courts manual processes for collecting and reporting workload statistics and reconciling to the database. Each court was presented with an initial reconciliation assessment and then tasked with finding all discrepancies. The courts had never before been asked to reconcile statistics in this way, and at times, struggled to understand how to approach discrepancies and where and how to begin looking for errors. EROL found that the majority of discrepancies were contained within the closed cases reporting and the most significant portion of those is within registries and reports from prior to 2013.

Model court refurbishment – The model court refurbishment program had several components – in addition to increasing access, the program aimed to improve transparency by increasing the number of the court rooms thereby eliminating the practice of trying cases behind closed doors; grouping similar operational functions in the same



areas of the courthouse; and creating central filing offices as a means for promoting better file control. Central filing offices and offices, through which citizens must file documents, were refurbished with glass windows and waiting areas so court users can be received in an orderly fashion and can see how their documents are handled. Other changes included the addition of ramps to provide accessibility to the disabled, translation booths in courtrooms, areas for confidential discussions between parties and their lawyers, and cells to hold defendants in compliance with applicable human rights standards. In order to develop refurbishment plans that met the model court standards as well

as individual courts’ operational needs, EROL early on worked with court and KJC leadership used the Court Improvement Teams comprised of judges and court staff to help identify and develop specifications for refurbishments

at each court. Based on the requirements, EROL developed procurement solicitation templates, guidelines and contracting packages (i.e. IQC RFPs and/or task orders) for competitive bids from architectural/engineering services and refurbishment contractors. These guidelines incorporated existing EROL procurement and ethics and employee/contractor conduct standards. All documents complied with local law, U.S. Federal regulations and rules, and with all terms of the EROL contract award.

EROL refurbished seventeen court buildings, made significant repairs to the Mitrovica court facility, and developed architectural ready-to-build plans for two additional facilities in Zubin Potok and Leposavic. The following court facilities were refurbished or repaired under EROL:

- Supreme Court
- Court of Appeals

Refurbished Court of Appeals courtroom
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- Rahovec Branch Court
- Suhareka Branch Court
- Viti Branch Court
- Istog Branch Court
- Lipjan Branch Court
- Gjilan Basic Court
- Dragash Branch Court
- Gllogovc Branch Court
- Kacanik Branch Court
- Decan Branch Court
- Podujeve Branch Court
- Kline Branch Court
- Malisheve Branch Court
- Sterpce Branch Court
- Vushtrri Branch Court
- Mitrovica Basic Court (major repairs)

In addition, EROL completed work on the architectural and engineering design for Leposavic and Zubin Potok branch courts in the North. As part of the work to facilitate integration of the judicial operations in the North, EROL, in cooperation with KJC, met a number of times over several weeks with the judicial actors from the North to explain the design process and develop space requirements for a future refurbishment. EROL was unsuccessful in getting as-built or other blue print type documents to use for initial design work. EROL then requested three architectural firms to accompany EROL to the court and take the physical measurements along with photos so that design work could proceed. Based on the measurements and on-site space evaluation, EROL asked for proposals from three architecture firms. The design work was awarded and final designs were developed, approved at the court level, and submitted to the KJC.

Objective 3: Improve professionalism of justice sector actors

g) Kosovo Judicial Institute

EROL assisted the KJI in strengthening its capacity to provide quality legal education services to justice institutions. Initially, EROL made significant progress reviewing and making recommendations to improve the KJI organizational structure, curriculum, and instruction through thorough assessments of the KJI's two core components, the Initial Legal Education Program (ILEP) and the Continuous Legal Education (CLEP). Each assessment contained a combination of long-term and short-term recommendations. For example, the ILEP assessment, which was approved by USAID and delivered to the KJI, recommended curriculum improvements that could be implemented beginning with the fifth generation of judicial and prosecutorial candidates; and the CLEP Assessment provided detailed suggestions for development of courses aimed specifically at judges and prosecutors, who were affected as a result of the LoC and LoSP. Additionally, the assessments addressed issues such as quality control, examination procedures, and integration of theoretical and practical content and exercises. EROL also conducted a roundtable for representatives of the KJI, KJC, and KPC as the first step in developing a national legal education strategy.

During the early stages of the project, KJI asked for assistance in developing a series of training courses in legal reasoning and writing for judges and prosecutors. The KJI Board of Directors, as well as the Judicial Council and the Prosecutorial Council, gave this module the highest priority because it addressed a critical need to strengthen the capacity of judges and prosecutors, and by extrapolation members of the Chamber of Advocates and other private attorneys, to resolve legal issues and write legal documents in a logical fashion so that judicial decisions endure under appellate review, and they provide understandable transparency to judicial and prosecutorial functions. The skills developed in this course have been strengthened through supplemental mock trial training during which judges and prosecutors practice resolving legal issues in simulated, but realistic, courtroom settings. KJI also asked for assistance in developing a series of training courses in high priority subject matters relating to court management and case management. Development of this series of courses was particularly important because the new Law on Courts provided for implementation of a new court structure, including new concepts for court leadership and specialized court departments. The courses also addressed certain continuing concerns about the functionality of Kosovo courts, which involved backlog reduction, case delay reduction, ethics, use of technological tools to promote efficiency, reliance on best practices for internal and external communication in judicial settings, and sustainability of reforms. In addition, EROL developed an expansive series of training courses that were designed to incrementally professionalize court support staff, and to introduce resource multiplying techniques, such as cross-training of support staff.

Initially, the following seven core course modules were developed and incorporated into the KJI's curricula:

Case Management. EROL assisted the KJI in the development of a training module for judges that focused on the efficient processing of individual cases by individual judges, in contrast to caseload management, which deals with court-wide systemic case processing issues and challenges. The training module was based upon the concept that if a judge takes responsibility for a case at an early stage of the proceedings, the judge will have an opportunity to manage the case in the most efficient manner possible. For example, it emphasized the usefulness of a pretrial conference and scheduling order in managing cases.

Court Management. EROL assisted the KJI in the development of a training module for Court Presidents that concentrated on a presiding judge's strategic management of the court over which he/she has responsibility. The centerpieces of the training module were concepts of judicial independence (independence of the judiciary, and independence of the judges—as well as the related principles of impartiality and fairness), inspiring public trust and confidence in the judiciary, stress management, effective communication, the strengthening of practical leadership skills (including relevant human relations aspects), interpretation and

application of statistical data for strategic (including applicable principles of caseload management) and performance evaluation purposes, executive team building (including the relationship of presiding judge, court administrator, and chief clerk) to facilitate court management, the benefits of cross training court administrative support staff, and related subjects.

Legal Writing and Reasoning. EROL assisted the KJI in the completion of a training module on the subject of legal writing and reasoning skills, and in the indoctrination of a KJI instructor in delivery of the program. The training module oriented the trainer to interactive teaching techniques, a best practice for this sort of skills training objective, and included practical exercises designed to promote excellence in legal writing, as well as written and oral reasoning in a way that will facilitate incorporation of legal writing and reasoning skill development into all relevant KJI coursework.

Communication. EROL provided assistance to the KJI in the development of a training module designed to strengthen the communications skills of judges (and, as appropriate, prosecutors), particularly when dealing with parties, court staff, members of the public, and representatives of the news media; the “customer service” and “news media relations” components of the program were designed to dovetail with other training initiatives undertaken by EROL. The training module concentrates on skills ranging from active listening and validation, to the use of communications methods that are both respectful and respectable, conveying norms of professionalism in inoffensive language that is motivating, as well as related techniques that support court functions.

Judicial Trial Practice. EROL provided technical assistance to the KJI in the development of a Judicial Trial Practice training module. One of the major objectives of the program is to strengthening of the participants’ legal reasoning and trial strategy skills in a simulated trial setting, and strengthening the participants’ ability to apply substantive and procedural law as a legal proceeding evolves.

Judicial Ethics. EROL provided technical assistance to the KJI in the development of a course for judges regarding the application of ethical principles to their work as judicial officers. The centerpiece of the course is the idea that public trust and confidence in the judicial institutions of Kosovo are directly and inextricably linked to the behavior of judges. The method of instruction builds on a discussion of applicable ethical guidelines and other norms, and the utilization of realistic examples of potential ethical dilemmas, thereby encouraging the adoption of an ethical philosophy that will be utilized by the judge-attendees to guide their disposition of such dilemmas as they arise in their work as judges.

Information Technology. EROL continued to provide technical assistance to the KJI in the development of a training module regarding the benefits of information technology in a legal setting, which is envisioned for presentation to judge and prosecutor audiences. The focus of the training module will be on the ways in which technology can improve the efficiency and effectiveness of the work of judges and prosecutors, including as a tool for organizing workload, organizing facts and legal support, project management, and in the organization and presentation of written submissions or decisions by the court.

EROL and the KJI also worked to develop additional programs based on the needs assessment facilitated by that involved substantial consultation with the Judicial Council and the Prosecutorial Council, following the National Legal Education Strategy. The development of training modules supporting EROL’s capacity building efforts included: an indoctrination of KJI staff to dialogic teaching methodologies; an intensive introduction of best practices

in court management and case management to president judges, supervisory judges, judges, and court administrators; communication and technology skills among judges and judicial support staff; court administration skills for judicial support staff; and, a combination of training modules including legal reasoning and writing skills among judges. Initially, EROL held several TOT sessions with judges and prosecutors who serve as adjunct KJI instructors, as well as full-time KJI instructors, to discuss the best practices in teaching and reasoning methodologies. EROL developed a legal reasoning and writing training module for judges that revolved around a dialogic, interactive teaching methodology. The program was co-delivered by an EROL legal advisor with law school teaching experience and a judge/adjunct KJI instructor to an audience of Court of Appeals judges. EROL initiated the preparation of various course modules that were co-taught by EROL and KJI instructors, and ultimately solely taught by KJI instructors: Case Management, Court Management, Information Technology, Communication, Training for Court Administration Support Staff, Judicial Ethics, and Mock Trial Program. Training modules for the case management, court management, judicial ethics, court administration staff skills, and legal reasoning and writing programs were completed with the development of the programs in communications, information technology, and mock trial.

Judges and prosecutors increasingly need to review international and comparative legal resources. For example, court decisions from the European Court of Human Rights (ECtHR), accessible in the English language, may be cited as applicable in court proceedings pursuant to Constitutional provisions requiring adherence to ECtHR decisions. Few primary or secondary legal resources are translated into Albanian, and only a small additional number are available in Serbian. There are currently no commercial or government plans to translate foreign-language documents on a consistent basis for provision to legal professionals within or outside governmental institutions such as the courts. Furthermore, members of the KJC and KPC, as well as senior leadership of the KJI, work with foreign experts regularly and are often called upon to incorporate legal or institutional standards from donor countries into their own sub-legal regulations, policies and practices. Most sample documents, templates, and reviews of successful practices are presented in English and require translation into Albanian and Serbian. However, translation is often cumbersome and accompanied by a serious risk of misunderstanding and misapplication of concepts and norms.

An outgrowth of the legal reasoning and writing programs was the bench book initiative. A significant proportion of Kosovo judges are new to the bench—many were appointed within the last three years or are new to the particular field of law that falls within their responsibilities. The resulting lack of experience, combined with a lack of judicial reference resources, has contributed to non-standard judicial practices, especially in a courtroom setting, or in judicial decisions and judgments. It is possible, for example, that three judges presiding over a preliminary proceeding may resolve the matter in three completely different, potentially incompatible, formats. An increasing number of Kosovo judges have been advocating informally for the creation of bench books to address key areas of judicial practice, and the legal writing and reasoning programs have provided a forum for judges who would like additional guidance in specific areas of judicial practice. In general terms, those areas include criminal, civil, commercial, administrative, juvenile, and execution fields of law, each with its own set of substantive laws, procedural rules, and case management practices.

In conjunction with EROL's efforts to increase collaboration between the KJI, KJC, and KPC on judicial and prosecutorial education strategic planning, EROL developed a series of training workshops on web strategy and design



Legal Reasoning training at the KJI

and included the KJI as a stakeholder in the first of these workshops, aimed at preparing KJC staff and other counterparts to evaluate how their web presence could do more than just inform the public about their activities but also contribute to accomplishment of institutional goals and objectives.

EROL developed an advanced training for seasoned KJI faculty on Judicial Independence and Advanced Ethics. The uniqueness of this training was the methodology used to develop critical thinking through experiential learning and team coaching. The trainees scrutinized different scenarios that presented ethical dilemmas and threats to the independence of the judiciary.

EROL and other donor-led efforts have contributed to a large repository of KJI training materials. What KJI lacked, however, was staff capacity to design curriculum applying best practices in adult education and commensurate faculty skills applying sophisticated experiential learning methodologies. EROL conducted eight train-the-trainer programs for more than 170 instructors corresponding to courses outlined above. EROL successfully transferred teaching responsibilities for each education program to the KJI faculty mentored during previous training activities. EROL also worked with KJI to develop a holistic faculty development program built on the foundation of adult educational theory by: 1) evaluating the existing train-the-trainer curriculum; 2) developing and presenting an Advanced Faculty Development program to experienced KJI faculty; and 3) developing a Faculty Handbook to acquaint new and experienced faculty with the adult education theories and practices followed at the KJI. The Faculty Handbook proved a valuable way to consistently reach KJI faculty.

In addition to KJI faculty development, EROL also supported the KJI's director and program staff with a visit to the Federal Judicial Center in Washington, DC. The director's trip was primarily funded by the US Department of Commerce to conduct other business; EROL seized this opportunity to coordinate an orientation to the FJC's programming and resources. KJI staff benefited from developing professional relations with other judicial educators through the exchange of best practices and innovative curriculum, and the exploration of effective delivery methods such as e-Learning.

With EROL support, the KJI launched its database/web portal. The web portal provided KJI with a suite of internal repositories for human resources, finance and procurement department records and reports; its public-facing content offers judges and prosecutors course materials and registration capabilities for participants in KJI programs, as well as a gateway to an e-learning platform that in the future will greatly expand the availability of KJI's continuing legal education programs. KJI was able to consistently perform the web portal's maintenance and upgrades and managing site content without EROL assistance.

EROL working with the KJI conducted workshops to orient a small working group of judges as to best practices in bench book design, writing and production. The purpose of the bench books is to provide judges with a simple, relatively easy to use guide that covers procedures that are required by statute, regulation, and/or constitutional decisions. It is designed to offer detailed guidance from experienced trial judges and written commentaries on these requirements and other matters that may occur during court trials and hearings. New judges in particular can benefit from them and even experienced judges may find useful reminders about how to deal with routine matters, suggestions for handling more complex issues, or helpful starting points when they face particular situations for the first time. EROL worked closely with KJI's head of program research and publication who helped oversee the drafting and review process as EROL provided technical judicial and legal assistance. EROL coordinated numerous meetings with the KJI and the working groups to discuss methods for improving the drafting process and maintaining progress towards completing the project by year's end. EROL conducted workshops for the drafters to fortify their

understanding of bench books as judicial reference guides, improve their writing techniques and expose them to sample forms, checklists, and suggested scripts designed to assist judges with a quick reference in chambers or on the bench. As EROL assisted the working groups in finalizing the text – including formatting and publication issues – KJI agreed to coordinate a launch with EROL to publicize the bench books’ availability, accompanied by efforts to acquaint judges with their content, and to educate them on their use and value. In addition, EROL and KJI are now discussing the creation of an internal, sustainable and permanent structure to plan and oversee future publication updates, releases and additional bench book projects, including assisting the Kosovo Forum of Women Judges and Prosecutors goal to develop a bench book on domestic violence.

One byproduct of the bench book initiative was the introduction and successful use of a technology-based shared workspace that enabled increased collaboration among the drafters and EROL advisors. The KJI is now maintaining a Google docs workspace that will continue to enhance KJI’s ability to draft, edit and share judicial education documents in real time and receive timely feedback. EROL conducted trainings for the working group members on how to access and use Google docs.

Recognizing their need to learn more about adult education fundamentals, the KJI director and six staff, including a president judge/faculty member, participated in a week-long study tour at the National Judicial College in Reno, Nevada. With more than 50 years of experience training US and international judges, the college provided KJI staff a wide range of judicial education skills-building instruction. During five intensive days of training, college instructors introduced the KJI to principles and practices of adult learning, fundamentals of curriculum development, how to conduct training needs assessments and evaluations, faculty development practices and developing e-learning courses – all targeted to ensure KJI’s training sustainability. One of the most pertinent topics NJC discussed focused on conducting research to assist judges and prosecutors in their work – namely, selecting research subjects relevant to the judiciary and establishing cooperation with universities in research development. This dialog was significant, as KJI is currently in the design stage for its research program. The study tour concluded with KJI’s director leading a strategic planning session, including development of needs assessment protocols, establishing a permanent team to draft and review training curricula, implementing a program evaluation system, and drafting and executing a plan for conducting research assisting judges and prosecutors. Commenting on the value and relevance of the program, KJI senior educators stated that they wished they had experienced this earlier in their careers.

EROL followed-up the highly successful Reno college visit with a handbook on judicial education best practices. The handbook includes chapters on adult education, curriculum design, faculty development, eLearning and other institutional considerations such as organization change and evaluations and board relations. The handbook aims to build current staff capacity to design and deliver Kosovo’s judges and prosecutors effective educational programs, and serve as an orientation tool for future KJI professionals in the years to come. To support the emphasis on adult education best practices, EROL delivered three new courses designed to model experiential learning strategies: Resilient Leadership, Advanced Ethics, and Procedural Fairness. Resilient Leadership acquainted experienced faculty with the fundamental principles of professional and personal management in the court environment and strategies that increase resiliency and support leadership ability. The ToT workshop included a pre-workshop survey, extensive group discussion and individual and group exercises - all designed to model sound adult education principles and techniques. Overwhelmingly positive feedback from participants prompted the KJI director to request that EROL repeat the training for judges and prosecutors attending the Initial Legal Education Program (ILEP), and for KJI staff.

EROL completed development of the Kosovo Court Executive Development Program. Endorsed by both the KJI and the KJC secretariat, this program is designed to produce a cadre of court management executives trained to international management standards. The program builds a firm foundation in principles and practices of modern court management, including an overview of the history and principles of court administration and an understanding of the values and characteristics of a well-functioning judicial system. It offers comprehensive instruction in areas of functional responsibility associated with court administration—as well as the technical, interpersonal, and conceptual skills needed to lead court reform. By bringing into existence highly trained court administrators to work with judicial leaders, this ambitious and forward-thinking program builds an institutional framework supporting constructive change throughout Kosovo’s judicial system.

EROL led the interactive TOTs that modeled elements of the CEDP curriculum and demonstrated best practices in experiential learning methodologies. The training was enhanced by this team-teaching approach that provided KJI and the faculty with a direct experience in delivering training in a team-teaching approach, an often-overlooked alternative for facilitating the kind of learning that develops skills in critical thinking and new knowledge construction. The follow on TOT included initial faculty presenting their respective course modules and receiving feedback from the group. EROL guided the process by mentoring the faculty on subject matter specifics and teaching techniques. The TOT concluded with a planning session that identified next steps and potential barriers towards fully implementing CEDP. As part of the initial CEDP support work, EROL held several meetings with the KJCS director, KJI director and KJI staff to develop criteria for faculty selection and schedule potential training dates.

EROL also provided advanced faculty development training built on EROL’s work to improve the KJI faculty development and training of trainers programs. KJI asked that EROL demonstrate a practicum based faculty development program that addresses the following teaching strategies: developing and using case studies, leading discussions, Socratic dialogue, and other experiential learning techniques.

h) Kosovo Constitutional Court

Constitutional Court legal advisors do the lion’s share of legal research, analysis and decision drafting for the judges on the Court. It follows then that the quality of the Court’s written decisions depends, in large part, upon the competence of the legal advisors. Unfortunately, the country’s legal education system does not well prepare law students – potential legal advisors and researchers – to perform sophisticated legal analysis, research or writing. EROL addressed this issue by conducting two (2) hands-on workshops for the Court’s legal advisors and researchers during which experts demonstrated how to identify and analyze legal issues, and write clear decisions that reflect a sophisticated understanding and use of court precedent when explaining the decision’s rationale. The workshops for legal advisors and legal researchers were very well received, so much so that the training materials have been integrated into the Court’s orientation process for new legal advisors and researchers.

The workshops resulted in the following outputs and outcomes:

- Institutionalization of legal drafting training for legal advisors and researchers of the Constitutional Court who are responsible for performing sophisticated legal analysis and writing initial legal opinions for the Court on a variety of issues invoking constitutional, international and comparative law issues. EROL conducted interactive workshops that required the Court’s legal advisors, though many drafting exercises over multiple days, to identify and analyze legal issues, and write clear decisions that reflect a sophisticated

understanding and use of court precedent when explaining the decision's rationale. Following the workshops, the Court integrated EROL's training materials into its orientation process for new legal advisors and researchers.

- Improved capacity of 15 Constitutional Court legal advisors and researchers to research and analyze issues and draft well-reasoned legal decisions during workshops that included drafting exercises and instructional materials.
- A protocol and template for how to summarize Constitutional Court decisions, along with a glossary of key legal terms, to be used by legal advisors and researchers.

Working with the President of the Court, EROL supported the a two-day high level international conference, entitled "Direct Applicability of Universally Accepted Human Rights in Kosovo," which was designed to educate judges, defense lawyers, prosecutors and the general public and encourage the application of universally-recognized human rights in Kosovo courts. National and international speakers presented formal papers covering the following topics: "Application of Universally Accepted Human Rights in Kosovo – The New Imperative in the Practice of Law," "The Magnificent Breadth of Articles 22 and 53 of the Constitution," "Vindication of Human Rights in the Courts of the United States – The Roles of the Criminal Defense Attorney and Judge," "Judgments and Decisions of the Constitutional Court – The Role of Precedent and the Scope of Article 116.1 of the Constitution," "Vindication of Human Rights in Ireland," "Using European Court of Human Rights and Constitutional Court Judgments in Practice," "Role of Decisions of Other Constitutional and High Courts in the Jurisprudence of Kosovo," and "Using Precedent to Build the Law." The papers were published in a special edition of the University of Pristina Faculty of Law journal, *The Law*. This conference was an important training event for the judges and legal advisors of the Constitutional Court, as well as for the judges, advocates, and prosecutors attending the conference.

Although the Constitutional Court is progressively developing a body of decisional law, which, under the Constitution, is binding on all persons, and all courts and institutions in Kosovo, in similar cases. EROL's support of the professionalization of the Court's publication of its developing body of law has been a key to strengthening the rule of Constitutional law in Kosovo. The Court has maintained a website where its decisions are published in English and the national languages; however, the website did not include a search engine to assist in the identification of case decisions arranged by legal issues presented or remedies. EROL prepared a conceptual framework and proposed a comprehensive website search engine database that would permit the identification of Court case decisions based upon legal issues raised and/or decided; and based upon articles of the Constitution, articles of applicable international covenants and conventions, articles of national laws, prior Court decisions, and decisions of the ECtHR cited in the case decisions. With EROL's guidance, the Court's IT advisor prepared the specifications for the programming of the search engine for inclusion in the KCC's next website hosting contract. Subsequent to the programming, EROL worked with legal advisors and legal researchers to test the effectiveness of the search engine, which resulted in recommendations for appropriate modifications. The testing and modification of the website and search engine was completed.

As the system was put to great use, enhancements were requested by the court. EROL collaborated with the KCC's IT staff to develop requirements for an extensive upgrade to the Court's existing search engine and case management system. The system includes a central data storage platform to manage the court's cases; enabling end-users to enter data in a few information fields and enter a case number to track matters as they made their way procedurally through the court. The Court simply outgrew the system – its number of users has increased, measurably impacting system speed and usability. The system's functionality also required more efficient design as well as additional

features such as document sharing and automatic archiving. EROL evaluated proposals and selected a local vendor – Cactus – to design and develop the new system. Prior to launching the database, the KCC staff received adequate training from the local vendor on how to use this new automated court management system. The staff of the Court is now fully able to add, store and process data and information in the course of the proceedings at the Constitutional Court. The development of CDMS was a key element in the modernization of the KCC constitutional review proceedings.

REPUBLICA E KOSOVËS - РЕПУБЛИКА КОСОВО - REPUBLIC OF KOSOVO
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Constitutional Court decision database

EROL also collaborated with the Constitutional Court to improve the professionalism of the judges of the Court with the goal of enhancing the public trust and confidence in the Court’s capacity for objective decision-making. A Constitutional Court functions differently from a conventional judicial institution, including typical appellate courts. Cases are referred to the Constitutional Court from various sources, including the legislative and executive branches of government, as well as individuals, for resolution of Constitution-based human rights controversies. Often, the referrals present issues that are highly political and/or are the subject of considerable public interest. Frequently, judges sitting in a constitutional court have no previous experience as judges, and are appointed from positions in government or academia, with no formal training in judicial ethics. There are differences in ethical norms as between judges of a general jurisdiction judge and a constitutional court judge, but there are common denominators

in the areas of independence, impartiality, fairness, confidentiality of deliberations, and the absence of bias and inappropriate influence. The President of the Constitutional Court recognized the value of a code of conduct to guide the judges of the Court, and EROL conducted a workshop with members of the Court, and produced a proposed draft of a code of conduct. The judges of the Court considered and voted to adopt the proposed code.

The Constitutional Court also adopted rules of procedure pursuant to Constitutional and statutory authority. The rules govern the operation of the court and therefore directly impact the work of the Court's judges, legal advisors, legal researchers, and secretariat staff, as well parties and counsel who appear before the Court. EROL conducted a workshop with members of the Court, and produced a proposed draft of an amended rules of procedure. The judges of the Court considered and voted to adopt the amended rules, which were promulgated immediately. Adoption of the amended rules is expected to enable the Court to conduct its judicial and administrative activities more efficiently and effectively. The amended rules will also provide much-needed guidance to the growing number of Constitutional law practitioners, and will assist pro se applicants with requests for the Court's intervention.

Print and broadcast media representatives in Kosovo are very diverse and active, but they are frequently partisan. Unfortunately, members of the news media have also been criticized for inaccurate reporting. This combination presents a challenge to all public institutions, including the Constitutional Court. EROL undertook initiatives to assist the Court's public information officer. The Court's strategic plan provides for a public information department, but received funding from the Assembly that was only sufficient to employ a single public information officer. EROL sponsored specialized training for the PIO in an effort to assist the Court in meeting the challenges posed by media relations and public outreach. As part of its duty to operate transparently, the Court can initiate public outreach in an effort to inform the public about its activities, and to increase public confidence in the Court's decision making.

EROL supported the court's second judicial conference that drew nearly 100 participants from Kosovo's legal community. EROL and the court president selected the conference topic, the "Self-Executing Nature of the Kosovo Constitutional Court's Decisions." The conference was moderated by a US federal judge who addressed the attendees with a keynote speech highlighting the long and continuing evolution and considerable tensions in Constitutional interpretation. The conference panel also included the president of the Supreme Court, who highlighted the first, second and third instance courts' obligation to adjudicate cases based on the Constitution when applicable

The Court's strategic plan called for a long term look and review of the effectiveness of internal communications and operational procedures. A particular concern identified was the effectiveness of the collaboration, coordination and communication in and between the judges of the Court and the career legal advisors who provide legal research, analysis and drafting support to the Court. EROL developed a three-day program that took looked at best practices and improved ways for judges and legal advisors to work together. US Judge David Carter and a long time law clerk to lead the program which included discussions, break-out group sessions, Q&A exercises, and development of recommendations. These ranged from professional and administrative rule changes to current work structure and environment, documentation of the case referral (to legal advisors) process, professional development and capacity building activities, defining disciplinary and evaluation procedures, and developing greater communication among senior/junior legal advisors - especially vis a vis sensitive or complex cases. A standout recommendation that generated great praise by judges was creating a legal advisors' association – either regional or joining Europeans - that may be initially supported by the Venice Commission of the Council of Europe, to which Kosovo is a member.

Objective 4: Increase citizen awareness and role in ensuring the delivery of justice

i) Citizen awareness

In order for the public effectively to demand improvements in the justice system and to recognize when those improvements are actually achieved individuals must first understand how the justice system works, including the roles and responsibilities of institutions and actors and second understand how the behavior of individuals within the system or among the public can negatively influence transparency, efficiency, and fairness. EROL completed an assessment of civil society and educational institutions to identify those with specific missions of strengthening the justice sector and advancing the rule of law, and appraise possible linkages between technical expertise and the objectives of the Strategic Activities Fund, which, through small grants, seeks greater citizen engagement and understanding of the justice system. EROL developed a Grants Manual to guide and support grant-making activities of the project, and coordinate execution of internal procedures to ensure the efficient management of grants awarded by EROL. The Grants Manuals included guidelines for conducting an initial assessment of the institutional capability of potential partners. While the original contract anticipated ERO directly providing grants, USAID modified the contract so that EROL would provide substantial support to the implementation of USAID's Forward program.

EROL provided assistance to the USAID Forward grant program. The focus of the grant program was use host country systems and partners to build sustainable partnerships and effective programs with CSOs in two areas: 1) court monitoring; and 2) public awareness and outreach initiatives aimed at increasing transparency and fairness among justice institutions. Grant and sub-grant activities to be carried under the court monitoring component focused on expanding the community of organizations and individuals engaged in court monitoring activities in Kosovo, as well as equipping them with the necessary tools used to monitor activities in the courts, with the overall goal of exposing more people to the court system and creating avenues for citizens to promote justice sector reforms and improved court performance. EROL assisted USAID by providing administrative and technical support during the procurement process. EROL drafted the RFA and public announcement asking for applications. EROL was then part of the technical committee chaired by USAID to evaluate the eight proposals for award. USAID made one of two awards, 1) Advocacy Training and Resource Center (ATRC) was selected to act as an intermediary umbrella grants manager that will solicit, award and manage sub-grants to local CSOs to carry out court monitoring and anticorruption initiatives, and 2) Balkan Investigative Research Network (BIRN) for public awareness and outreach programs aimed at combating corruption and increasing transparency and fairness among justice institutions in Kosovo. The objective is to enhance citizens' understanding of the court system and the roles played by individual professionals in the court system in order to increase constructive public engagement in the justice system and rule of law reforms.

EROL provided substantial coaching and technical assistance to support ATRC's sub-grant program design and project implementation. EROL supported ATRC with translation of ATRC's grantee proposal summaries and basic grant agreement into Serbian and Albanian languages and supported the grantee award process. To more effectively reach minority communities, EROL recommended that ATRC send its RFA package in the Serbian language the Kosovo Policy and Action Network, since it is the largest minority CSO network in Kosovo. EROL supported ATRC with revisions and finalization of its basic grant agreement, and assisted ATRC in drafting a notification letter to unsuccessful applicants and with content to respond to unsuccessful applicants who request additional information for being rejected. To reduce the cost for design and development of brochures containing information on new court structures, EROL provided brochures in electronic versions in Albanian, Serbian, Bosnian, Roma, Turkish, and English language.

During the selection phase for ATRC grantees, EROL participated in ATRC's technical evaluation committee, reviewed 52 court monitoring proposals, and recommended 13 proposals for award. To ensure sub-grantee compliance, EROL developed a grant compliance workshop and contract signing process for re-granting organizations. At USAID's request, EROL initiated a project needs assessment for USAID Forward grantees, ATRC and BIRN. EROL also provided sub-grantees support developing project data-gathering systems, compiling monitoring reports and reporting findings and recommendations. EROL and ATRC together developed monitoring and reporting templates in a meeting answering questions and concerns regarding the reporting activities. Once complete, ATRC distributed monitoring reports from the first round of grants to as many justice institutions, courts and government offices as possible. EROL also assisted BIRN staff in developing its work plans and budget line allocations. In addition, EROL provided BIRN with templates for meeting agendas and event invitation letters.

In the third year of the project, EROL initiated a project needs assessment for ATRC and BIRN. EROL conducted interviews with both organizations to determine target technical and training needs under USAID Forward. EROL provided advice and assistance to both so that ATRC and BIRN met USAID's grant agreement, and assisted both with internal operational activities such as work plans, budgeting, managing project workflow and sub-grantees' activities. EROL provided checklists and templates when appropriate for carrying out these tasks.

EROL also identified a grants management training program specifically tailored for non-US NGOs working with USAID grant funding, addressing in particular strategies to ensure compliance with USAID rules and procedures. The training was attended by seventeen USAID local partners, including ATRC and BIRN. An instructor from the US-based organization InsideNGO delivered the training, which focused on grantees' effective project implementation within USAID requirements applicable to grants or cooperative agreements. During the three-day training, instructors discussed at length project procurement, accounting and audit record-keeping while simultaneously examining the complexities of grants management. Discussions also included program management strategies such as situations when organizations need to seek guidance from USAID; how the organization's internal policies affect their award administration; understanding the structure of USAID; and how to build cooperative relationships with key players. Moreover, all participants became members of the InsideNGO community, and can therefore use various services and resources related to administering USAID grants. This training was of significant importance for ATRC, as ATRC has signed a new Cooperative Agreement with USAID to implement new project Engagement for Equity project.

EROL delivered a workshop on Public and Media Relations for NGOs; initially for the sub-grantees of the 2nd round of grants and later for the sub-grantees of the 3rd round of grants. The purpose of the workshop was to improve their skills for better communication and messaging to justice sector institutions and the public. The workshop provided sub-grantees an opportunity to learn and discuss the importance of communicating their court monitoring activity with the donors, media, and the general public. Instruction focused on areas such as: solid media and public relations plans, how to plan and organize press conferences, how to prepare for interviews (including a TV interview role-play), how to tell success stories, and how to use social media proactively to inform the courts and their communities.

EROL also assisted ATRC's sub-grantees with drafting their court monitoring reports. EROL met with 15 sub-grantees to better understand their organizational needs and provide one-on-one assistance. During these meetings, EROL discussed court monitoring report content and format. EROL thoroughly explained all the technical aspects of the report including how to develop charts and how to detail project methodology, as well as how to divide

sections within the report. Most importantly, EROL discussed writing specific recommendations so the final product would be understandable and useful not only to judiciary, but also to the public.

EROL organized the media and the criminal justice system's workshops that brought together for the first time representatives of the media, all Kosovo justice institutions (KJC, KPC, Constitutional Court, Chamber of Advocates, Office of the President, Kosovo Police, Ministry of Justice, EULEX and EU programs), and civil society representatives to discuss ways to improve the transparency of the justice system and the professionalism of journalists. Participants expressed a willingness to work cooperatively to meet their respective responsibilities while striving to make the justice system more understandable and easily accessible to the people of Kosovo. It is clear that journalists and editors who cover court and other rule of law issues in Kosovo need more accurate information about how courts and the justice system operate. To address this glaring deficiency, EROL engaged an investigative journalist with extensive experience reporting on corruption and organized crime in the Balkans to conduct a series of 2-day workshops for journalists all over Kosovo, including from minority communities. The 51 journalists who attended the training represented 30 national and regional media outlets (TV, radio, print and online news agencies). The training used interactive teaching techniques designed to improve the practical skills of professional journalists in covering courts and prosecution offices. Participants learned about Kosovo's new court structure, legal terminology, the roles and responsibilities of criminal justice actors, journalistic ethics, way to obtain information through court monitoring activities, and new media best practices. EROL partnered with the KJC and the KPC to conduct educational outreach meetings targeting members of underrepresented communities in Kosovo. At the informal gatherings, EROL staff members, prosecutors and judges answered questions and provided youth with specific information on the recently enacted court structure. Participants also learned about employment opportunities in the justice system and what it takes to become a judge, prosecutor, advocate or notary through a set of brochures developed by USAID in cooperation with the KJC. During the outreach meetings, EROL distributes a set of educational brochures designed specifically for minority youth, potential law students and graduated lawyers who might consider continuing their future legal profession as judges, prosecutors, lawyers, or notaries. The brochures are used as a way of increasing minority inclusion/recruitment into these professions and legal institutions. Copies of the brochures were sent electronically to KJC, KPC and the Kosovo Chamber of Advocates so they can be posted on their respective websites. These brochures were also posted on the web portal at Radio Television of Kosovo (RTK – public television). EROL conducted meetings in 22 different municipalities.

EROL also actively engaged public information officers in group exercises drawn from real and recent negative press coverage of the courts and the justice system in Kosovo so that participants would understand what crisis management techniques could help avoid media relations disasters. Workshops underscored how building a crisis management team with assigned roles and prepared messaging must be in place well before any expected or unexpected crisis begins. Participants said this type of training was most useful to them. Complimenting media relations and crisis management training, EROL and public information officers in four courts joined forces to organize media and justice roundtables in Ferizaj, Mitrovica, Peja and Prizren. These roundtables were the first of their kind, with representatives from the courts, regional media and civil society groups, and provided a forum for court presidents and staff to field questions from the media and NGOs; the roundtables also provided information officers from the four basic courts the opportunity to apply in practice skills learned during their EROL training.

All four roundtables were well-attended by regional representatives of the prosecution service, police, chambers of advocates, notary system, media outlets, and civil society. Discussion focused on the court structure, how to improve communication between courts and the media and the general public, and what the courts can do to engage in more

proactive communication. Concerns expressed by participants differed in each region. NGO representatives in Ferizaj were concerned with lack of journalists' knowledge of legal terminology and functioning of the court system, and also suggested it would be useful if the courts prepared information why the courts cannot release certain types of information even if there are media inquiries. In Mitrovica, journalists recognized the difficult conditions under which that court operates, and asked that they be granted the right to have exclusive information that other media outlets do not have. The discussions in Peja centered around issues concerning access to court information, and instances where journalists were allegedly denied access to trials if they carried tape recorders or cameras in the courtrooms. At least one journalist remarked that he was unaware the court had an information officer, and from that point on, he would contact her first for court information. Journalists in Prizren were particularly interested in court statistics on certain types of cases, and detainees.

EROL's support for advancing women in Kosovo's justice sector included its key role in the development of the first Forum for Women Judges and Prosecutors in the country, in collaboration with USDOJ/OPDAT, and the Kosovo judicial and prosecutorial councils. EROL joined the association's founding efforts in February 2013 by providing USDOJ assistance with developing the new group's preliminary framework and operational strategies in an effort to move forward from thoughts on paper to a plan for actual formation. EROL assisted with knitting together a loose configuration of women judges and prosecutors to a solid core of 12 founding members. During two regional meetings, EROL provided critical support recruiting volunteer charter members. EROL also supported a workshop for charter members, finalizing a mission statement, and beginning discussions on group membership rules and a logo, and contributing to discussions on draft regulation for the Forum's first elections. EROL continued its support to the Forum in November for the ratification of the draft regulation; in December, EROL supported a meeting of approximately 135 women judges and prosecutors voting for its first officers and association representatives. EROL organized voting resources and processes, from ballots and ballot boxes to ballot-casting procedures. Subsequently, EROL offered the Forum board and membership a workshop on women and leadership skills, designed targeted specifically to the Forum's newly elected chair and board. The workshop focused on securing an active membership to sustain the life of the new organization.

EROL continued support for the new Forum of Women Judges and Prosecutors, and in cooperation with OPDAT, EROL organized four Forum judges' participation in the US National Association of Women Judges annual conference in San Diego, California. EROL provided technical support for the Forum participants, including interpretation.



The judges who attended were the Forum's Chair, the President Judge of the Mitrovica Basic Court and two new judges – one from Peja Basic Court and one from Kamenica Branch Court. The Mitrovica president judge was particularly engaged during sessions, giving an impromptu talk on judicial ethics in Kosovo during an international judges' round table. The judges also traveled to Washington, D.C. where they met with the International Association of Women Judges, the American Bar Association, and judges from the Superior Court of the District of Columbia where they observed court proceedings. The judges also were interviewed by the Voice of America Albania Desk. Throughout the US visit, EROL staff updated the Forum's Facebook page with activities and photos chronicling their meetings and activities. EROL also provided substantial

EROL also provided substantial

assistance to the Forum’s board initiative to develop a strategic plan. EROL, with OPDAT, also co-hosted a Forum board meeting to select a logo, discuss use of social media and defining strategic activities.

EROL hosted public outreach meetings in 21 municipalities that are home to a majority of Kosovo’s minorities. EROL traveled to 13 meetings at public and private law schools, drawing 368 participants (187 men, 181 women), generally between the ages 17-30. EROL invited representatives from the courts, KJC and KPC to attend these meetings; attorneys or judges frequently attended and were very well-received by students who many times had not had contact with legal professionals from their minority community. EROL-created brochures supplemented this effort, with topics such as “Choose Your Profession,” and “What is the Bar Exam?” and “Evaluation and Recognition of Diplomas.” EROL published and distributed 6,150 brochures in Albanian, Serbian, Bosnian, Roma, Turkish and English language.

In addition to law students, EROL’s outreach extended to the general minority community population, and representatives educational institutions, NGOs, minority media and relevant justice stakeholders. These discussions provided information on the new court structure and services, and career opportunities in the legal profession. Meetings took place throughout every region of the country, with the exception of the North (due to access). The meetings drew 332 participants (207 men; 125 women), generally between the ages of 16-55.

The Forum of Women Judges and Prosecutors of Kosovo at the US Department of Justice during an EROL-supported study tour. EROL and OPDAT coordinated efforts to send four judges to Washington DC and the US National Association of Women Judges annual conference in San Diego.

During outreach meetings, EROL noted participant questions and feedback that ranged from the general inquiries about whether court trials were open to the public to the courts’ treatment of specific minorities. For many, outreach meetings were also the first opportunity to ask careers in law and where to search for job postings. Even though most participants knew how to search the internet, most were not aware of KJC and KPC web sites. EROL noted that during meetings Serbian youth hesitated to join discussions. Those who did said they also were reluctant to participate in Kosovo’s legal system because of lack of information, political circumstances (perceived or real), parallel educational institutions, or simply due to negative impressions of the judicial system in general. Many did not know that Serbians work at the KJC, or that Serbian judges are working in Kosovo courts.

Unlike their Serbian peers, Roma, Ashkali and Egyptian youth relayed other problems and barriers burdening their employment in the justice sector. They cited difficult socio-economic situations as the greatest hurdle, with high secondary- school dropout rates among minority students. In the Turkish community, barriers to legal education reported anecdotally were lack of instructors or instruction in Turkish. Many of these students said they likely will pursue higher education in Turkey, considering language, quality of programs and number of scholarships provided by the Turkish government.

DELIVERABLES

Objective 1

Action Plan for the Development of the Implementation Plan for LOC

Implementation Plan for Law on Courts

KJC Administrative Instruction on Submission of Proposals for Appointment of Judicial Candidates

Instruction on Reassignment/Transfer of Judges to Court of Appeal
 Regulation on the Evaluation and Performance of Judges
 Media Relations Guidelines for the KJC Public Information Office (with templates and annexes)
 Proposal Outline for Law on Courts Communication Plan (submitted to USAID for Approval)
 Two-page concept paper on KJC Public Relations strategy
 Public Relations and Outreach Workplan (2012) for KJC Spokesperson (drafted with EROL assistance)
 Two-day Web Strategy and Web Portal Design Workshop, including presentations and handout materials
 Interview question/answer guide to fill Supreme Court Spokesperson position, as requested by the KJC spokesperson
 Minority Needs Assessment
 Empirical Research Capacity Training and Assessment
 Analytical Report on Regulations Controlling the Structure and Staffing of the KPC
 KPC Administrative Instruction on the Submission of Proposals for Appointment of Prosecutor Candidates
 Prosecutor Performance Evaluation
 KPC Implementation Plan Outline
 Prosecutor Nominations Cover Letter
 Law on State Prosecutor Implementation Plan
 Pre-Strategic Plan Assessment
 Workshop on Policy Analysis using EROL-produced Public Policy Analysis and Development Protocol (September 12-14, 2011)
 Workshop on International Legal Assistance in Civil Matters
 Practice Manual for International Legal Assistance in Civil Matters
 Success story on the workshop for MOJ legal officers on international cooperation in civil matters
 Draft Assessment of Law on Notary
 First Intra-Governmental Roundtable on Appointment, Transfer and Dismissal of Judges and Prosecutors
 Press release on the first Intra-Governmental Roundtable on Appointment, Transfer and Dismissal of Judges and Prosecutors published by daily newspaper 'Bota Sot', online newspaper 'Lajm' and three online news agencies: Ekonomisti, KosovaLive and Kosova
 Summary of the live interview of KJC Chair, OP Legal Advisor and Deputy Chair of KPC on morning program of RTK following the first Intra-Governmental Roundtable on Appointment, Transfer and Dismissal of Judges and Prosecutors
 Media monitoring sheet on the coverage of the first Intra-Governmental Roundtable on Appointment, Transfer and Dismissal of Judges and Prosecutors
 Second Intra-Governmental Roundtable on Appointment, Transfer and Dismissal of Judges and Prosecutors
 Third Intra-Governmental Roundtable on Appointment, Transfer and Dismissal of Judges and Prosecutors
 Regulation on the Appointment of Judicial Candidates

Regulation on the Appointment of Prosecutor Candidates
Draft press release on fireproof safe for the OP (not distributed to the press)
Change Management Seminar for Judiciary and Court Leaders (April 12, 2012)
Leadership/Change Management Seminar for Presiding Judges/Administrators (April 17&19, 2012)
Change Management Seminar #1 for judges/administrators/court staff (April 20, 23-24, 2012)
Change Management Seminar #2 for judges/administrators/court staff (April 26-27, 2012)
Facilitator's Guide for Change Management Seminars
Judicial Ethics U.S. Study Tour (June 19-27, 2012)
KPC Codes of Conduct Drafting Workshop (May 24-26, 2012)
Code of Professional Ethics for Kosovo Prosecutors
Code of Ethics for Kosovo Prosecutorial Support Staff
Code of Professional Ethics Kosovo Prosecutorial Council Members
KPC Code of Conduct Training of Trainers Workshop and Curriculum (June 4-5, 2012)
KPC Council Codes of Conduct Commentary/Manual Drafting Workshop (June 7-9, 2012)
Manual/Commentary for Code Of Professional Ethics for KPC Members (June 20, 2012)
Manual/Commentary for Code of Ethics for Prosecutorial Support Staff (June 20, 2012)
Manual/Commentary for Code of Ethics for Kosovo Prosecutors (June 20, 2012)
Advance PR Skills and Crisis Communications Training (April 24-26, 2012)
Analysis of Policy Alternatives for Draft Law On State Advocacy (May 2012)
MOJ/Department of Legal Affairs Database Assessment Report (May 15, 2012)
MOJ/Department for International Legal Cooperation Database Assessment Report (May 15, 2012)
Rapid Need Assessment & Feasibility Study – Legal English Courses (June 2012)
Protocol for use of Fireproof Security Cabinet (April 23, 2012)
KJC Transition Planning Workshop #1 with Checklist/Action Plan/Concept Paper (June 1, 2012)
KJC Transition Planning Workshop #2 with Checklist/Action Plan/Concept Paper (June 28, 2012)
Memorandum to President's Office on Submission of Simultaneous Applications by the Same Candidate
Four Laws Legal Drafting Workshop (June 14-16, 2012)
Draft Comments on the Law on the Courts
Draft Comments on the Law on the Kosovo Judicial Council
Draft Comments on the Law on the State Prosecutor
Draft Comments on the Law on the Kosovo Prosecutorial Council
Best PR Practices for Better Media Relations Workshop for KJC Senior Management and Court Leaders, Part I (July 20, 2012)
Communicating Effectively with Media and Public Workshop for KJC Spokespersons and Court Information Coordinators (July 23, 2012)

Best PR Practices for Better Media Relations Workshop for KJC Senior Management and Court Leaders, Part II (July 24, 2012)

Best PR Practices for Better Media Relations Work Session for KPC Senior Management and District Chief Prosecutors, Part I (July 26, 2012)

Communicating Effectively with the Media and Public Work Session for KPC Spokesperson and Municipal Chief Prosecutors (July 27, 2012)

Best PR Practices for Better Media Relations Work Session for KPC Senior Management and District Chief Prosecutors, Part II (July 30, 2012)

KJC Draft Regulation on Office of Communications Director

KJC Draft Regulation on Public Information Office

KJC Draft Strategic Communication Plan Components

KJC Web Portal Development Plan

KJC Web Strategy Plan

KPC Draft Instruction on Organization of Prosecutorial Public Information Offices

KPC Draft Strategic Communication Plan Components

KPC Website Development Plan

KPC Web Strategy Plan

Report on Focus Group Activity for the Development of the Law on Court Public Communication and Outreach Campaign Slogan and Message

Comments on Proposed Draft Law on State Advocacy Office (July 30, 2012)

Draft Law on State Advocacy

Ministry of Justice State Advocacy Office Database Design and Development Plan (September 14, 2012)

Ministry of Justice Department for International Legal Cooperation Database Design and Development Plan (September 17, 2012)

Steering Committee Retreat on Reassignment and Transfer of Judges to the Basic Courts and Branches (August 31 – September 2, 2012)

Regulation on Reassignment and Transfer of Judges to the Basic Courts and Branches of the Basic Courts

Instruction on Appointment of President Judges and Supervising Judges

Decision on Reassignment of Judges

KJC Drafting Workshop on Code of Ethics

Code of Ethics for KJC Members

Policy Guideline on Reassignment of Non-Judicial Staff and Organizational Chart

Steering Committee Decision for Supervision of the Implementation of the new Law on Courts (Regarding Policy Guideline on Human Resource issues including Criteria for Selection of Court Administrators)

Steering Committee Decision for Supervision of the Implementation of the new Law on Courts (Regarding Court Registry List and Guideline)

New Court Registries and Guidelines

KJCS Organizational Assessment Report

Legal Drafting Process Workshop for Legal Officers of OP, MOJ, KJC and the KPC (July 19-20, 2012) including Compilation of the Primary and Secondary legislation governing the drafting process in the Republic of Kosovo

Communication Strategy Work Session with KJC Senior Management (October 18, 2012)

Communication Strategy Work Session with KPC Senior Management (October 23, 2012)

Crisis Communications and PR Workshop with KJCS staff and court administrators and information coordinators (October 22, 2012)

KJC Media Guidelines

KJC Crisis Communication Guidebook

KJC Communication Strategy Plan

KJC Communication Strategy Implementation Plan

KJC Web Portal Development Plan

KJC Web Portal Strategy Plan

Media and the Criminal Justice System Workshop (October 31, 2012)

Training of Trainers for Court Public Information Officers (November 15-16, 2012)LB

KJC Law on Court Media Campaign (December 7, 2012 – January 2, 2013), including three different TV/radio PSAs in five languages and website banners

KJC Media Kit: Press Release, Fact Sheet on KJC and new court structure

KPC Media Kit: Press Release and Fact Sheet on KPC and new prosecution structure

KPC TV PSA on new structure of prosecution service

MOJ/SAO Database & Case Management System Implementation Work Plan

MOJ/DILC Database & Case Management System Implementation Work Plan

Legislative Review Workshop with Office of President (October 27-28, 2012)

Best Media Practices in Justice Sector Workshop with Office of President (October 24, 2012)

Implementation Plan Status Report (October 5, 2012)

Implementation Plan Final Report (December 31, 2012)

Administrative Instruction on Assignment of Pending Cases upon Entry Into Force of the Law on Courts

Organizational Chart of New Court Structure

President's Veto Power Memo

Amended Regulation on the Function and Activity of the KPC

KJC Database Needs Assessment Plan

Memorandum on KJC Transparency of Judicial Disciplinary Decisions

Amendments to Regulations on Organization and Internal Activity of the Courts

Analysis Judicial Salaries under Law on Courts

Administrative Instruction for Selection of KJC Chair
Court User information brochures (13 total in one language; printed in 6 languages – 78 total)
Office of the President
Legislative Review Guidelines & Template for Presidential Return of Legislation
Draft Media Guidelines and Workshop for the Office of the President of the Republic of Kosovo
Instruction on Standard Operating Procedures
Regulation for the Establishment and Functioning of the National Coordinator for Prosecution of the Perpetrators of Crimes and Seizure of the Material Benefit Acquired by Criminal Offenses
Standard Operating Procedures for Victim Protection and Assistance Office
Regulation on the Evaluation of the Performance of Judges
Regulation on the Proposal Procedure for Appointment and Reappointment of Judges
Regulation no. 01/2013 on the Certification of Interpreters and Translators in Criminal Proceedings
Template Interview Criteria
Template Pre-selection Criteria
Concept Paper on Legal Education Reform
Concept Paper on the Judicial Academy
Annex 1 - Academy of Justice Scheme
First Intra-Government Roundtable on Legal Drafting (co-hosted with NDI)
Second Intra-Governmental Roundtable on Legal Drafting (co-hosted with NDI)
OP Regulation on the Promulgation of Laws by the President
Draft Law on Minor Offences (MoJ)
Efficient Council Meetings Suggestion
National Backlog Reduction Strategy
Briefing Memo: Review of Initial Mandate of Judges
Training on the Drafting of Subsidiary Legislation
Third Intra-Governmental Roundtable on the Legal Drafting Process
MOJ-DILC Training on the International Legal Cooperation on Civil Matters Kosovo Guide for International Legal Assistance in Civil Matters
Training of Trainers Program in the Legal Drafting
Kosovo Guide for International Legal Assistance in Civil Matters
Administrative Instruction for Stamps (Nr. 201401)
Regulation on the Criteria and Procedures for Selection and Proposal for Appointment of the Chief State Prosecutor Training on International Legal Cooperation in Civil Matters
Regulation on Supplementing the Regulation on the Internal Organization of the Courts

Regulation 01/2014 on the criteria and procedures for selection and proposal for appointment of the Chief State Prosecutor

Kosovo Judicial Council Strategic Communications Package

Legislative Review Guidelines publication

Meeting Manual for Kosovo Judicial Council

Kosovo Judiciary Strategic Plan 2014-2019

Law no. 05/l-035 on Amending and Supplementing the Law no. 03/l-224 on Kosovo Prosecutorial Council

Law no. 05/l-034 on Amending and Supplementing the Law no. 03/l-225 on State Prosecutor

Law no. 05/l-033 on Amending and Supplementing the Law no. 03/l-223 on the Kosovo Judicial Council

Law no. 05/l-032 on Amending and Supplementing the Law no. 03/l-199 on Courts

Regulation on the Election of Members to the KJC from the Judiciary

Guide on International Legal Cooperation in Civil Law Matters

Objective 2

Workshop for Model Courts Consortium and KJC (July 7, 2011)

Workshop for Model Courts Consortium and KJC (September 1, 2011)

Model Court Selection Process/Criteria

Approval request to USAID for 8 Model Courts

Court Refurbishment Design Plans for 8 Model Courts¹

Court Improvement Action Plan

Court Improvement Team Planning Session Reports

Mentor Court training for 8 Model Courts

Site Visit Reports for 8 Model Courts

Initial Environmental Examination (IEE) for all Model Courts

Site-specific Environmental Compliance Plan (SECP)

Deliverables Related to Memorandum of Understanding USAID Norway Government

Press release on the ceremony of the signing of MOU between USAID and the Norwegian Government regarding the Model Court Program)published by the daily newspapers: ‘KohaDitore’, ‘Bota Sot’, ‘Kosova Sot’, and ‘Lajm’)

Short story on the signing of the USAID-Norway MOU for USAID website

Media monitoring sheet on the coverage of the USAID-Norway MOU signing

Law Day Gjilan/ Gnjilane

Summary of Law Day activities in Gjilan/Gnjilane

¹ Design materials and related documents of Model Court refurbishment activities are sensitive in nature and will be available upon request only at the end of the procurement process.

Short story on the Law Day in Gjilan/Gnjilane
Speech for the President of the District Court of Gjilan/Gnjilane for Law Day event

Speech for the President of the Municipal Court of Lipjan/Lipljane and assistance with organizing the end-of-year press conference for court

Speech for the President of the Municipal Court of Pristina, and assistance with organizing the first press conference

Media monitoring sheet on coverage of the MC Pristina press conference, and transcript of the KTV news reporting

Court Improvement Team Action Plan Drafting Workshop (September 4-5, 2012)

Draft Court Improvement Team Action Plans

Final Court Improvement Action Plan for Gjilan District Court

Final Court Improvement Action Plan for Municipal Courts of Lipjan, Viti, Istog, Suhareka and Rahovec

Memorandum of Understanding between KJC and USAID Contractor Implementing the EROL Program

Transition Planning Workshop # 4

Court Standards Compliance Templates

Case Transfer Protocols – Pristina District Court (October 1, 2012)

Logistics Plan for Pristina District Court (October 1, 2012)

Case Transfer Strategic Plan – Supreme Court

Case Transfer Project Report (January 2013)

Case Registry Database (we could show a picture of a computer!)

Electronic Date/Time Stamp Machines – and EROL-developed training manual

Refurbishment Design Specifications for 7 Courts

Excel training booklet

Excel printed registry books for each Kosovo court (we do not have copies – they were turned over to the courts)

Case Transfer Project – Final Report

IT Assessment Questionnaire – Ferizaj Basic Court

Workshop on Introduction of Model Court Standards/Court Refurbishment Process

Customer Service and Effective Communication Training

Customer Service and Effective Communication Handbook

Customer Service and Effective Communication ToT Training

Strategic Planning Workshop

Strategic Planning for IT staff

Court Strategic Operational Planning

Computer Skills Training

Focus Group- Computer Training for Court staff

Court Strategic Operational Planning
Workshop on Generating Statistical Reports
Court Statistician Training
Database Usage Training
Court Operation's Strategic Implementation Plans
Presiding Judges' Meeting on Database Usage and Court statistics
MCP Backlog Reduction Workshop
Challenges in Kosovo's Judicial System Management and Initiatives in Backlog Reduction
Training for Web Portal Administrators
Training for Web Portal Content Editors
Electronic Case Registry
System Administration Manual
Regional Administrator Manual
Statistical Reconciliation Reports
 Supreme Court
 Court of Appeals
 Pristina Region (5 courts)
 Prizren Region (3 courts)
 Peja/Peć Region (4 courts)
 Gjilan/Gnjilane Region (4 courts)
 Gjakova/Djakovica Region (2 courts)
 Ferizaj/Uroševac Region (3 courts)
 Mitrovica Region (3 courts)
Caseflow Management Training for the Court Administration
Court Administration Working Group Meeting I
Court Administration Working Group Meeting II
Memorandum on Implementation of the Normalization Agreement Reached by the Prime Ministers of Kosovo and Serbia
Preliminary Curriculum Proposal for the Judicial Orientation Program: Implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia
Preliminary Plan for the Reinstatement of the Mitrovica Basic Court Courthouse: Implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia
Executive Summary of the Judicial Orientation Program: Implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia
EROL Proposal for Utilization of Modular Office Containers

Status Report and Next Steps Regarding the North Mitrovica Courthouse: Implementation of the Normalization

CLE Program Reliance on the EROL Model Court Program Database System

EROL Technology Initiatives and Potential for EUOK Collaboration

Outline of the EROL Model Court Program Database Management Report Packages

Customer Service and Effective Communication Final Report

Final Assessment and Recommendations - STTA Anne M. Trice

Pristina Basic Court Midterm Assessment and Recommendations

Objective 3

Database and Website Comprehensive Checklist for the KJI

Continuing Legal Education Program (CLEP) Assessment Report

Initial Legal Education Program (ILEP) Assessment Report

Draft “Work of the Judge” training course module covering judicial independence, public trust and confidence, leadership skills, judicial ethics, performance standards, and preparing judgments and decisions.

Draft Course module on “Core Competencies for Court Administrators” covering independence of the judiciary, public trust and confidence, leadership, ethics, public outreach, budgets, staff supervision, court security, IT, and caseload management.

Summary Review of Justice Systems and Judicial Training Institutes (Analysis Tool for KJI Strategic Alliance Development)

KJI Strategic Plan – Main Framework and Core Activities

PR plan for the Workshop for Constitutional Court Legal Advisors and Legal Researchers

Workshop on Research and Analytical Skills for Constitutional Court

1st Workshop on Research and Analytical Skills for Constitutional Court (29,30-09-11)

2nd Workshop on Research and Analytical Skills for Constitutional Court (21,22-03-12)

Success Story on the two workshops organized with Constitutional Court legal advisors, one published on Court’s website

Case Summary Protocol and Template for legal advisors to prepare summaries of Court’s decisions for inclusion in Bulletin of Case Law

Template Training Agenda for Constitutional Court

Glossary of Terms for Court

Reference Manual (and Curriculum) on International Legal Assistance in Civil Matters

International Legal Assistance In Civil Matters Workshop (May 15-16, 2012)

International Legal Assistance In Civil Matters Workshop (May 17-18, 2012)

International Legal Assistance In Civil Matters Workshop for Judges (May 2012)

Kosovo Judicial Institute Website Workshop (April 18, 2012)

Legal English Program Course

Legal English Program Training Of Trainers (TOT) Course
 Constitutional Court Conference on Direct Applicability of Universally Accepted Human Rights in Kosovo
 (June 29-30, 2012)
 KCC Bulletin Case Summaries
 Constitutional Court Online Searchable Case Law Database Conceptual Framework (September 2012)
 KJI Database Concept
 Supplement to Report on Concept for KCC Search Engine/Database
 Implementation Work Plan for KCC Search Engine/Database
 Legal Writing and Reasoning for Judges (Training Module)
 Kosovo Judicial Institute: Court Management Responsible Leadership Roundtable Series (Training Module)
 Judicial Roundtables Series-Judicial Ethics: The pledge of professionalism (Training Module)
 Case Management: Promoting access to efficient, effective, and transparent justice services (Training Module)
 Communications Considerations for the Kosovo Judiciary: Promoting Clear Accurate and Productive Court-
 house Communications (KJI Training Module)
 Judicial Trial Practice, Applying Legal Reasoning Techniques in Trial Proceedings (KJI Training Module)
 Judicial Roundtable Series: Information and Communication Technology Considerations for the Kosovo Judi-
 ciary (KJI Training Module)
 KJI Website/Database
 KCC – Special International Human Rights Edition of E Drejta, the Law Journal of the Pristina Law Faculty
 KCC – Court Decision Database/Search Engine
 Kosovo Judicial Institute Judicial Trial Practice: Applying Legal Reasoning Techniques in Civil Trial Pro-
 ceedings (KJI Training Module)
 Judicial Independence and Judicial Ethics Notebook
 Advanced Faculty Development Handbook
 KCC Rules of Procedures Workshop
 Resilient Leadership Training for Kosovo Judicial Institute
 Resilient Leadership Training for Kosovo Judicial Council Secretariat
 Procedural Fairness Training of Trainers
 KCC Legal Advisers Recommendations
 Kosovo Judicial Educators Handbook
 Advanced Faculty Development/ Experiential Teaching Resource Packet
 Resilience Workshop with Judges, Prosecutors, and KJI
 Kosovo Court Executive Development Program/ Faculty Development Workshop
 Fundamentals and Foundations for Court Leaders Curriculum Toolbox

Objective 4

SAF Rapid Assessment Report on NGOs and Educational Institutions
Draft SAF RFA including Conflict of Interest Policy
EROL Communications Strategy (includes folders, banner designs, templates for local press review, media monitoring sheet, website and Facebook page proposals, branding and marketing plan)
Media Assessment Report
Two-page outline for the Media Assessment Report
EROL local press reviews
Summary Of EROL Meetings With Regional Media
Radio Dukagjini Interview – EROL’s Visar Morina and Secretary General of Constitutional Court (June 27, 2012)
Speech for KPC Chairman KJC Transition Planning Workshop #1 (June 1, 2012)
Justice Sector Training for Journalists (October 2012)
Guide to Investigative Court Reporting
Choose Your Legal Profession Brochures for Minorities
Court Inauguration / Court of appeals and Rahovec Court
“This is Your Court” Brochure Series (13 different brochures in 6 languages)
“This is Your Court” Brochures Distribution Plan
“This is Your Court” Brochure on Civil Aspects of International Child Abduction (in 6 languages)
“This is Your Court” Set of 13 Brochures Distribution Report (in English, Albanian, Serbian)
Two Media and Justice Roundtables in Ferizaj and in Mitrovica
Training on Media and Public Relations for Court Public Information Officers (PIOs)
Media and Public Relations Handbook for Court Public Information Officers (PIOs)
One-day Crisis Communication Training for Court Public Information Officers (PIOs)
One-day Branding Planning Session for the KJC and Kosovo Courts
KJC Social Media Policy Considerations and Draft Guidelines
KPC Workshop on Social Media Guidelines
KPC Social Media Policy Considerations and Draft Guidelines
Brochure on International Child Abduction
International Child Abduction Roundtable
Media and Justice Regional Workshop in Peja
Fact Sheet - Speech for Gjilan BC President
Media and Justice Workshop in Prizren
International Language Day Event in Prizren
Women in Justice Event for International Women’s Day
Minority Outreach Report

Fact Sheet - Speech for BC Ferizaj President
Municipal Profile Fact Sheet for Pristina
Municipal Profile Fact Sheet for Gjilan
Municipal Profile Fact Sheet for Gjakova
Success Story - USAID Model Court Standards Helps Restore Trust in Kosovo's Judiciary
Success Story - TV Reporter Turned Court Information Officer: Bringing the Court's Work Closer to the Public
Success Story - International Roma Day activity
Success Story - Lipjan Branch Court Inauguration Ceremony
Success Story - Model Court Standards Restoring Public Faith in Justice
Success Story - Advanced Legal Drafting Techniques Brings Kosovo Legislation Closer to EU Standards
Success Story - From Classroom to the Courtroom Kosovo's Judges Advance Trial Management Skills
Success Story Kosovo Judges Examine the Nature of Constitutional Court Decisions
Success Story - Spreading the Word in Several Languages Helping Kosovo's Citizens Understand Their Courts
Success Story - Transforming the Judicial System Through Education for Development
Success Story - Effective Communication Success
Success Story - KJI Database Success
Strategic Learning Workshop for Court Public Information Officers
KJC/Court Brand Guidelines Draft
Logo for the Forum of Women Judges and Prosecutors
USAID 15th Anniversary Celebrations Municipal Fact Sheet on Pristina
USAID 15th Anniversary Celebrations Municipal Fact Sheet on Gjakova
USAID 15th Anniversary Celebrations Municipal Fact Sheet on Gjilan
USAID 15th Anniversary Celebrations Round Table at Gjakova Basic Court Agenda
USAID 15th Anniversary Celebrations Round Table at Gjakova
Basic Court Speech for Court President (Albanian)
Prosecutors Closer to the Citizens Set of Brochures
Training "Public and Media Relations for NGOs"
Logo for the Forum of Women Judges and Prosecutors
Workshop on USAID Rules and Regulations for Non-US NGOs
Forum of Women Judges and Prosecutors of Kosovo – US Study report
Forum of Women Judges and Prosecutors (FWJP) workshop on strategic planning of annual work plan for 2015
Forum of Women Judges and Prosecutors (FWJP) final work plan of activities for 2015

International Mother Language Day

Study visit to the Branch Court in Shtërpce/Štrpce with law students from Mitrovica North

Vushtri/Vučitrn Branch Court Inauguration Fact Sheet

Ad Hoc Reports

Memorandum on Presidential Pardons

Justice Sector Law Analysis (Constitutionality of the Law on the Courts, Law on the State Prosecutor, Law on the Kosovo Judicial Council, and Law on the Prosecutorial Council)

Official Immunity of Public Officials

Street Law Concept Paper

Constitutional Analysis of KJI Role in Judicial Selection Process

Analysis of Presidential power to Appoint/Not Appoint Judges

Memorandum on KPC Draft Regulation on Transfers and Promotions

Memorandum on Simultaneous Applications by the Same Candidate for a Judicial and a Prosecutor Position

STTA Trip Report – Kent Hatley

STTA Trip Report – Atif Zuberi

STTA Trip Report – Linda Jacobson

STTA Trip Report – Chris Boeder

Comments on GIZ Concept Paper – *Transformation of the KJI into an Academy of Justice*

Terminology Inconsistency Matrix Four Laws and Constitutions

Draft EROL Technical Comments on Law on Courts & Concept Paper

Four Laws Policy Issue Identification

USAID Advisory on Media and the Criminal Justice Workshop

Media and the Criminal Justice Workshop Success Story

Kosovo Crime Victims' Rights Week Roundtable (October 16, 2012)

STTA Trip Report – Judge David Carter and Grace DiLaura- KCC Legal Advisors Workshop

EROL STTA Trip – Report Judge James Haines KJI Bench Book Initiative

EROL STTA Trip Report – Barbara Swan- PIO Communication Strategy

EROL STTA Trip Report Steve Stentz – Reporting and Statistics

EROL Success Stories –North Mitrovica Law Students Visit the Court of Appeals

EROL Success story on Forum of Women Judges and Prosecutors workshop

EROL Success story – Grants & Cooperative Agreements for Non – US NGOs (Draft)

EROL Success story - Public Outreach with Law Students (Draft)

EROL STTA Trip Report – Chuck Ericksen

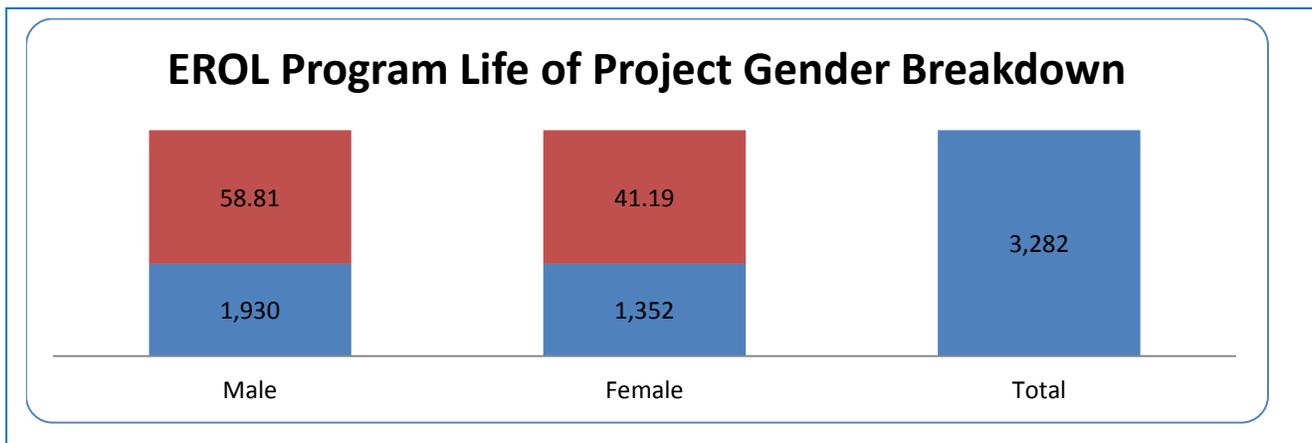
EROL STTA Trip Report – Andrea Muto

PERFORMANCE MANAGEMENT PLAN RESULTS

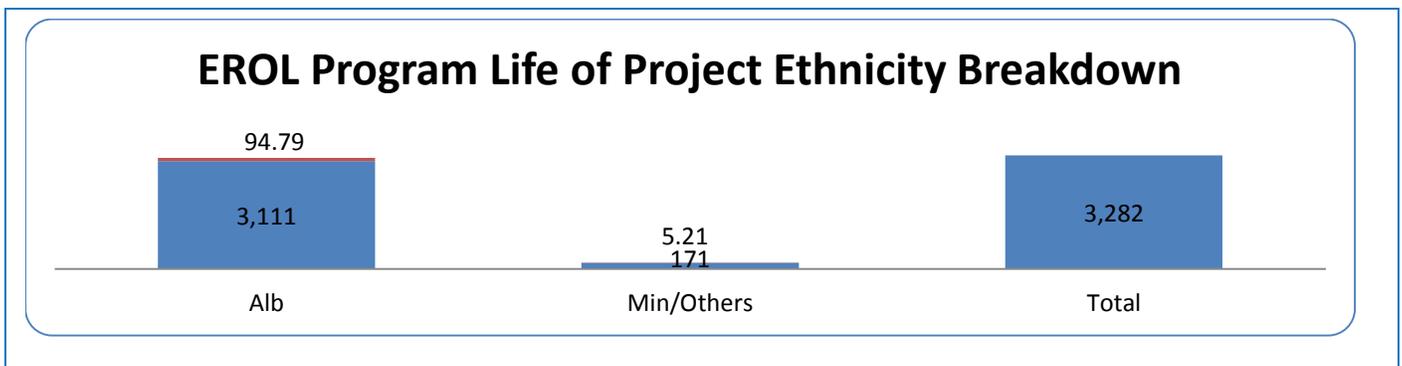
The EROL performance management plan (PMP) is comprised of 33 indicators. Indicators represent achievements made toward the USAID/Kosovo mission intermediate result 2 “Improved Delivery of Justice” through its four objectives of the EROL program. EROL program demonstrated progress towards the results tracked under the PMP. All indicators have been met or exceeded.

The EROL team provided capacity building workshops throughout its four objectives. The life of project total number of unique justice sector personnel individuals that received USG training is 3,282 individuals, with Male = 1,930 Female = 1,352 with Alb = 3,111 and Min/others = 171.

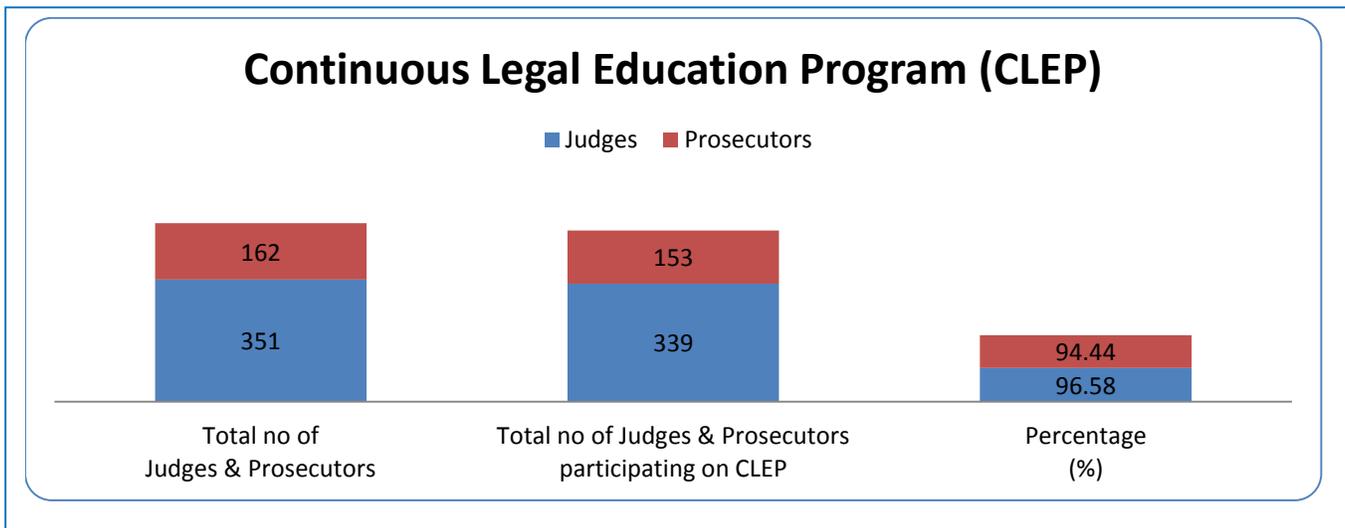
Gender breakdown of EROL capacity building events for the life of project represents satisfied representation between male and female participants. EROL staff across all four components has managed to engage total number of 3,289 individuals with 58.81% (1,930) male and 41.19% (1,352) female participants (Please, see Figure 1. gender breakdown of EROL capacity building events)



Ethnicity breakdown of erol capacity building events for the life of project represents satisfied representation between Albanian and minority community participants. EROL staff across all four components has managed to engage total number of 3,282 individuals with 94.79% (3,111) Albanian and 5.21% (171) Minority and Other Community participants (Please, see Figure 2. Ethnicity breakdown of EROL capacity building events)



Kosovo Judicial Institute (KJI) provided continuing legal education program (CLEP) for sitting prosecutors and judges, including training courses for prosecutors and judges working in the judicial system seeking promotion and to the newly selected candidates. EROL program target for the CLEP was 85% of judges trained and 85% of prosecutors trained during the five years of EROL program implementation. Target for this indicator has been achieved and exceeded. Cumulative progress toward set up target for this indicator is: J=96.58% (331+8 judges) and P=94.44% (151+2 prosecutors, including 8 retired and 8 resigned prosecutors during the period 2011-2015) trained. (Please, see Figure 4 for reference)



To increase accuracy of results, the program has proposed to separate the surveys into two separate activities. Checchi has selected a Kosovo local company to conduct baseline and end-line surveys. Baseline study was conducted in Year 3 and the “Kosovo Court User Satisfaction Survey” sampled approximately 1,300 court customers. The survey tool included 30 questions on various aspects of court/customer interaction. Also included was demographic (e.g. ethnicity) and social (marital) information. Satisfaction percentage of court users in Year 3 is assessed to be 76% and Year 4 at 73%.

EROL program conducted 20 simple case studies in order to get feedback on capacity building events conducted throughout Kosovo judiciary institutions. Overall there was positive feedback on the quality of capacity buildings events, their content and the overall assessment of the courses. In addition, conducted simple case studies have served as a tool for continuous improvement of the capacity building courses by integrating participant recommendations and ideas. EROL Program capacity building events were comprised of 12,626 people/person days of training.

EROL program with USG assistance provided Kosovo Judicial Institute with the support on developing faculty skilled in delivering courses, and training materials developed with adult education best practices. EROL staff supported KJI on the efforts in judicial training curriculum design applying adult learning methodologies, effectively

evaluating courses and effectively evaluating courses, providing the institute with measurement as to what is effective or where new curriculum can be improved. EROL provided KJI with the total of 27 curriculums and modules which are to be lectured on KJI courses. Furthermore number of supported trainers receiving pedagogical training (train of trainers - ToT) for their role in KJI and other judicial trainings, and replicate skills learned is 83 Train of Trainers. Whereas the total number of 25 executive branch personnel and 82 government medial relation staff received EROL program training during the life of project.

Number of laws, regulations and procedures related to judicial independence supported with USG assistance during the Life of Project is 58 laws, regulations and procedures that are official and have been passed or amended in accordance with the country's legal requirements.

The Model Court Program provided support on court facility refurbishment and re-engineering of court administration processes that are designed to work in concert to generate sustainable improvements in court operations and services for 28 courts. The operational improvements focus on increasing access to the courts; improving transparency by increasing the number of the courtrooms, thereby eliminating the practice of trying cases behind closed doors; grouping similar operational functions in the same areas of the courthouse; and creating central filing offices as a means for promoting better file control. Central filing offices and offices through which citizens must file documents have been refurbished with glass windows and waiting areas so court users can be received in an orderly fashion and can see how their documents are handled. Other changes included the addition of ramps to provide accessibility to the disabled, translation booths in courtrooms, areas for confidential discussions between parties and their lawyers, and cells to hold defendants in compliance with applicable human rights standards.

Under the objective four of EROL Program focus was to increase citizen awareness and role in ensuring the delivery justice. In order for the public effectively to demand improvements in the justice system and to recognize when those improvements are actually achieved there is a need for better understanding of the justice system. EROL staff implemented 44 campaigns in order to enhance public understanding; NGO support and media coverage of judicial independence accountability. EROL assisted USAID to issue an RFA aimed at accomplishing two primary purposes: i. to increase public awareness about the justice system so that citizens can more effectively participate in debate and proactively support efforts by justice institutions and civil society to enhance transparency, combat corruption, and ensure equal access to justice through the fair, transparent, and effective administration of the justice in Kosovo; and ii. to expand the circle of community groups and members of the public who are exposed to the court system in general and to the challenges and opportunities for improved functioning of the courts and delivery of justice in the courts at the local level.

Name of Intermediate Result: Improved Delivery of Justice

Name of Indicator: 1. % of court users satisfied with the justice system

Precise Definition(s): Opinion polling carried out to determine those court users who are satisfied with the justice system, per a TBD instrument, sample, and method.

Comment

Indicator successfully accomplished. The Objective of the survey has been to measure perceptions of Kosovo court users in order to assess the relationship between the courts and court users and to identify potential improvements to court access and service delivery which might not be apparent from a strictly institutional analysis. To increase accuracy of results, the Program has proposed to separate the surveys into two separate activities. Checchi has selected a Kosovo local company to conduct baseline and end-line surveys. Baseline study was conducted in Year 3 and the "Kosovo Court User Satisfaction Survey" sampled approximately 1,300 court customers. The survey tool included 30 questions on various aspects of court/customer interaction. Also included was demographic (e.g. ethnicity) and social (marital) information. Satisfaction percentage of court users in Year 3 is assessed to be 76% and Year 4 at 73%.

Name of Intermediate Result:	Improved Delivery of Justice; 2.1 Increased capacity of justice sector professionals
Name of Indicator:	2. # of justice sector personnel that receive USG training
Precise Definition(s):	Personnel Includes judges, magistrates, prosecutors, advocates, inspectors and court staff. Training refers to all training or education events. An individual can only be counted once per program year.

Comment

Indicator successfully accomplished. The EROL team provided capacity building workshops throughout its four objectives. The Life of Project total number of unique justice sector personnel individuals that received USG training is 3,282 individuals, with Male = 1,930 Female = 1,352 with Alb = 3,111 and Min/others = 171.

Gender breakdown of EROL Capacity Building Events for the Life of Project represents satisfied representation between male and female participants. EROL staff across all four components has managed to engage total number of 3,289 individuals with 58.81% (1,930) male and 41.19% (1,352) female participants.

Ethnicity breakdown of EROL Capacity Building Events for the Life of Project represents satisfied representation between Albanian and Minority Community participants. EROL staff across all four components has managed to engage total number of 3,282 individuals with 94.79% (3,111) Albanian and 5.21% (171) Minority and Other Community participants.

Yr1:	Yr2:	Yr3:	Yr4:	Extension Period
T= 200	T=1,095	T=1,196	T=366	T=212
M=140	M=703	M=639	M=196	M=109
F=60	F=392	F=557	F=170	F=103
Min=4	Min=47	Min=71	Min=21	Min=12
J=27	J=150	J=240	J=79	J=0
P =1	P=102	P=14	P=6	P=0
CS=147	CS=686	CS=859	CS=156	CS=194
O=25	O=157	O=83	O=125	O=1

Name of Intermediate Result: Improved Delivery of Justice; 2.1 Increased capacity of justice sector professionals

Name of Indicator: 2a. # of people/person days of training

Precise Definition(s): No precise definition and no PIRS for this Indicator as it has been added during Yr3 of the Program implementation at USAID request.

Comment

Indicator successfully accomplished. During the Life of Project EROL staff provided capacity building events in total of 12,626 people/person days of training.

Yr1:	Yr2:	Yr3:	Yr4:	Yr5:
1,857 days	3,847 days	5,745 days	841 days	336 days

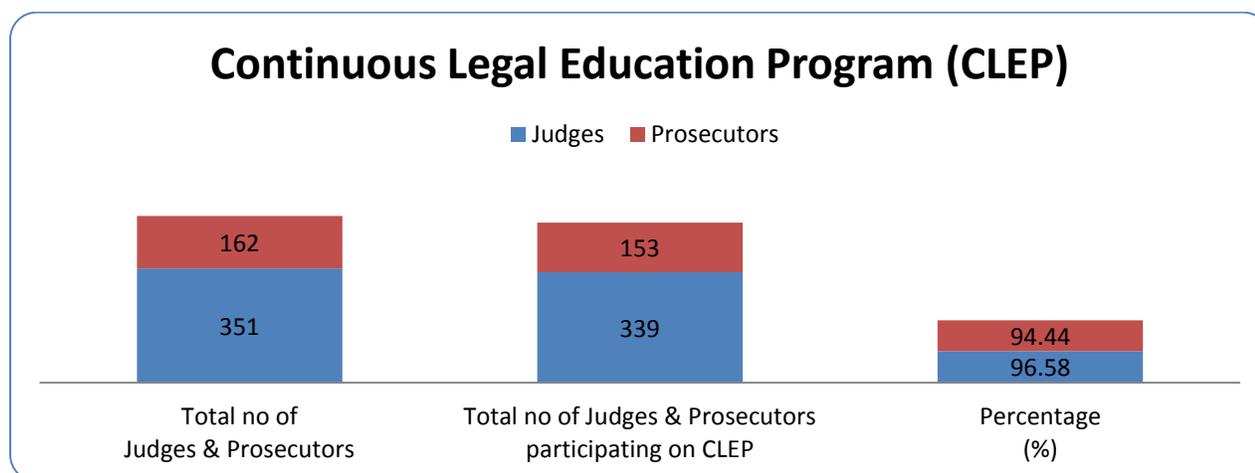
Name of Intermediate Result: Improved Delivery of Justice; 2.1 Increased capacity of justice sector professionals

Name of Indicator: 3. % of judges (J), prosecutors (P) and court staff (S) participating in CLE

Precise Definition(s): Shows extent to which continuing legal education has been institutionalized in the justice system. Also shows coverage (denominator is universe of individuals.)

Comment

Indicator successfully accomplished. During the life of project EROL Program provided support for KJI in designing of an effective and sustainable Continuing Legal Education Program (CLEP) for sitting prosecutors and judges, including training courses for prosecutors and judges working in the judicial system seeking promotion and to the newly selected candidates. Targets for this indicator have been set up at J = 85%; and P = 85%. Target for this indicator has been achieved and exceeded. Cumulative progress toward set up target for this indicator is: J=96.58% (331+8 judges) and P=94.44% (151+2 prosecutors, including 8 retired and 8 resigned prosecutors during the period 2011-2015) trained. (Please, see Figure 4 for reference)



Name of Intermediate Result:	Improved Delivery of Justice; 2.1 Increased capacity of justice sector professionals
Name of Indicator:	4. Number of legal courses or curricula developed with USG assistance
Precise Definition(s):	Legal courses or curricula improve skills and capacity of justice sector personnel or the general public regarding the legal system in Kosovo. Development could include significant modification of existing courses, or new courses.

Comment

Indicator successfully accomplished. During the life of project EROL Program with USG assistance provided Kosovo Judicial Institute with the support on developing faculty skilled in delivering courses, and training materials developed with adult education best practices. EROL staff supported KJI on the efforts in judicial training curriculum design applying adult learning methodologies, effectively evaluating courses and effectively evaluating courses, providing the institute with measurement as to what is effective or where new curriculum can be improved. EROL provided KJI with the total of 27 curriculums and modules which are to be lectured on KJI courses.

Year 1

- i. ILEP Curriculum for the fifth generation (ILEP Assessment Report);
- ii. CLEP Curriculum for 2012 (CLEP Assessment Report);
- iii. Course module on Core Competencies for Court Administrators covering independence of the judiciary, public trust and confidence, leadership, ethics, public outreach, budgets, staff supervision, court security, IT, and case flow management;

Year 2

- i. International Legal Assistance in Civil Matters Curriculum for Judges
- ii. International Legal Assistance
- iii. Judicial Ethics The Pledge of Professionalism
- iv. KJILEP_1
- v. KJILEP_2
- vi. KJILEP_3
- vii. Legal English program ToT module [Curriculum]
- viii. Legal English Program Legal research Module [Curriculum]
- ix. Legal English Program Intermediate Module [Curriculum]
- x. Legal English Program Lower Intermediate Module
- xi. Legal Reasoning and Writing skills for Judges
- xii. LEP ToT Master Binder for Course Instructors
- xiii. Module Document Case Management

Year 3

- i. Communication Skills for Judges
- ii. Judicial Trial Practice Course
- iii. ICT Considerations for the Kosovo Judiciary
- iv. Information Technology Consideration Module
- v. Applying Legal Reasoning Techniques in Trial proceedings (Civil) Module for KJI
- vi. Training Curriculum for Court Statisticians developed and implemented by AUK on behalf of EROL
- vii. Advanced Faculty Development ToT
- viii. Judicial Independence and Ethics ToT

Year 4

- i. Resilient Leadership ToT
- ii. Judicial Bias curriculum
- iii. Court Executive Development Program curriculum

Name of Intermediate Result: Improved Delivery of Justice; 2.1 Increased capacity of justice sector professionals

Name of Indicator: 5. # executive branch personnel trained with USG assistance

Precise Definition(s): For the Office of the President (OP), training in areas of administration, management or leadership skills or good governance practices.

Comment

Indicator successfully accomplished. During the life of project EROL team provided training for executive branch personnel across all judicial institutions in Kosovo. In total 25 executive branch personnel have been trained with USG assistance during the life of project.

Year 1

- i. Two-day workshop on international legal assistance in civil matters from the Department for International Legal Co-operation (DILC);

Year 2

- i. “Advanced Public Relations Skills and Crisis Communication for justice institutions Spokespersons, Advisors and Leadership”.
- ii. Workshop on the Legal Drafting process.
- iii. Workshop on the process of review of legislation.
- iv. Workshop on Best Media Practices in the Justice Sector.

Year 3

- i. Train of Trainers (ToT) training on legal drafting.

Year 4

- i. Strategic Learning Workshop for Court Public Information Officers

Name of Intermediate Result:	Improved Delivery of Justice; 2.1 Increased capacity of justice sector professionals
Name of Indicator:	6. # of USG-supported trainers receiving pedagogical training (ToT) for their role in KJI and other judicial trainings, who replicated skills learned
Precise Definition(s):	Number of trainees who attend 80% or more of TOT training and pass post-test of knowledge, which may include observation of training practices as well as testing.

Comment

Indicator successfully accomplished. During the life of project EROL team provided Training of Trainers (ToT) across judicial institutions in Kosovo. In total 105 ToT have been trained with USG assistance during the life of project. The KJI benefitted greatly from its close association with EROL through the delivery of a series of train-the-trainer programs. In addition, the trainings were built into other program components, with the KJI as co-training, observational and participant.

Year 1

No activities conducted during the first year of the Program implementation

Year 2

- i. "Legal English Program (ToT) and Course Development Workshop" provided local support for the development of a cadre of judges, prosecutors, professional legal staff, capable of conducting research and reviewing English-language documents at a professional level of proficiency, and the establishment of a sustainable professional training course in English for Legal Research and Analysis for those audiences at the Kosovo Judicial Institute.
- ii. "Training of Trainers Codes of Conduct" provided Training for future Trainers on ethical issues, especially referring to the draft Codes of Conduct for Prosecutors and KPC members. Participants readily took part in lectures and discussions and through group exercises demonstrated their skills in substance matter and in teaching.
- iii. "Crisis Communication Workshop for KJC & Court Staff" with the objective to train the future trainers in the area of public information for judicial and prosecutorial systems.
- iv. EROL worked with the KJI on the development of eight professionalization courses for judges, prosecutors, and court support staff. EROL assisted in the training of trainers for four courses: 1. Court Management; 2. Legal Reasoning and Writing; 3. Judicial Ethics; and 4. Case Management. Modules completed for these four courses. Training delivered in a ToT environment for "Court Management" and "Legal Reasoning and Writing"

Year 3

- i. EROL provided substantial support on the development of curriculum and modules and observed ToT's delivering following trainings: Judicial Trial Practice; Judicial Communications; and Case Management;
- ii. Advance Faculty Development Kosovo Judicial Institute Training; and Kosovo Judicial Institute Faculty Development Workshop on Judicial Independence and Judicial Ethics (ToT)

Year 4

- i. Pedagogical training from KJI and other judicial institutions with KJI Trainer;
- ii. "Procedural Fairness ToT" pedagogical training from KJI and other judicial institutions;
- iii. "Training on Curriculum Development" - The Kosovo Judicial Institute participated in a study tour to the E.S. National Judicial College in Reno, Nevada. The study tour aimed to develop KJI's capacity on a wide range of judicial education competencies including developing interdisciplinary curriculum, developing and conducting needs assessments and program evaluations, faculty development and faculty challenges, and eLearning methods and trends. Senior NJC staff discussed steps necessary to develop an institutional research capacity integrating sound research in judicial curricula.

Name of Intermediate Result: Improved Delivery of Justice; 2.1 Increased capacity of justice sector professionals

Name of Indicator: 7. Simple case studies of personnel trained by EROL

Precise Definition(s): Qualitative cases of trainees, identified through instructors, to discover training impacts on job performance and occupational behaviors. Range of roles - judge, trainee judge, other trainees. Depending on role studied, cases can include interviews, observations, data on job performance or other relevant metrics.

Comment

Indicator successfully accomplished. Simple Case Studies have been employed and examined training outcomes in the workplaces. EROL Program assessed capacity building through training as a vital component of activities and monitored and measure the degree to which training content has become part of practitioners' day to day work activities. Twenty (20) interviews with training participants of different roles (such as judge, prosecutor, trainer, public relations staff, and executive branch personnel) have been conducted during the Life of Project

Year 1

In Year one EROL team didn't conduct any simple case studies due to the fact that the initial capacity building events took place in late Sep '11 and the idea of the simple case studies was to give training participants on average 6 month time to employ gained knowledge and skills on the respective area in order to evaluate the training impact.

Year 2

Five (5) Simple Case Studies completed

Year 3

Five (5) Simple Case Studies completed

Year 4

Ten (10) Simple Case Studies completed

Name of Intermediate Result: Improved Delivery of Justice; 2.1 Increased capacity of justice sector professionals

Name of Indicator: 8. Kosovo Judicial Institute scorecard rating progress on goals for KJI

Precise Definition(s): Benchmark outcome indicator. Progress on tab "KJI" toward approved and consensed activities, in consultation with USAID and Kosovar stakeholders. Total activities to be completed: 17

Comment

Indicator successfully accomplished. The complex nature of the activities demanded that some indicators show outcomes through benchmarking – reaching milestones successfully along a multi-stage process. The scorecard indicator allowed for rating of 0, 1 or 2 to reflect the status of these benchmarks. A rating of “0” meaning that the activity has not yet begun or is in its initial stages; rating “1” for an ongoing activity; and a rating of “2” indicating the completion of an activity. Scorecard modified throughout of the Life of Project to better represent completion of activities under respective scorecard. Instead of 0, 1 and 2 as a score EROL team agreed that for the benefit of simplifying the progress achieved the activities completed will be marked with “x” showing the quarter when the respective activity is completed. Thus, by the end of Year 4 of the EROL Program implementation the respective scorecard (please, see under Appendix D: PMP Scorecards) shows the completion of activities foreseen within the scorecard.

Name of Intermediate Result:	Improved Delivery of Justice; 2.2 Increased independence and accountability of the judicial system
Name of Indicator:	9. Number of laws, regulations and procedures related to judicial independence supported with USG assistance
Precise Definition(s):	Refers to laws, regulations and procedures that are official and have been passed or amended in accordance with the country's legal requirements. Laws, regulations and procedures lay out the legal basis for building judicial independence and provide one significant indicator of government commitment. Some laws may also cover transparency.

Comment

Indicator successfully accomplished and exceeded. EROL team provided substantial support on legislative drafting in order to improve the quality of legal services provided to the Government of Kosovo and its citizens. EROL provided support on the improvement of primary and secondary justice sector legislation through its contribution on the total of 58 Administrative Instructions, Regulation and Procedures and Decisions. Please, see the list below.

Year

Year 1

- i. The KJC Administrative Instruction on the Submission of Proposals for Appointment of Candidates as Judge has been drafted and entered into force.
- ii. The KPC Administrative Instruction on the Submission of the Proposals for Appointment of Candidates as Prosecutors was drafted and entered into force.
- iii. The KJC Administrative Instruction on the Reassignment/Transfer of Judges to the Court of Appeal.
- iv. The KJC Regulation on the Evaluation of Performance of Judges.
- v. The PO Regulation on the Appointment of Candidates proposed as Judges was drafted and entered into force.
- vi. The PO Regulation on the Appointment of Candidates proposed as Prosecutors was drafted and entered into force.

Year 2

- i. KJC Code of Ethics adopted by KJC on 8 October 2012;
- ii. Amendments to the Law on Courts. Adopted by Kosovo Assembly on 20 December 2012 and published in Official Gazette on 28 December 2012;
- iii. Regulation on Organizational Matters and Activities of the Courts adopted by the KJC on 2 November 2012;
- iv. Instruction on Assignment of Pending Cases adopted by the KJC on 26 November 2012;
- v. Regulation on the Organization and Activity of the KJC adopted by the KJC on 2 November 2012;
- vi. Amended Regulation on the Organization and Activity of the KJC adopted by the KJC on 26 December 2012;
- vii. Administrative Instruction on Compensation of Members of the KJC and Other Officials in Committees and Working Groups adopted by the KJC on 2 November 2012;
- viii. Regulation on Recruitment Procedure for Apprentices in Courts adopted by the KJC on 2 November 2012;
- ix. Administrative Instruction on Compensation Procedure to Persons Wrongfully Convicted or Arrested adopted by the KJC on 2 November 2012;
- x. Amended Administrative Instruction on Compensation Procedure to Persons Wrongfully Convicted or Arrested adopted by the KJC on 26 December 2012;
- xi. Organizational Chart of New Court Structure;
- xii. Regulation on the Appointment of Prosecutors' Process (July 4, 2012)
- xiii. Regulation on the Assignment and Transfer of the Support Staff (August 10, 2012)
- xiv. Regulation on "Reassignment and Transfer of Judges to the Basic Courts and Branches of the Basic Courts"
- xv. Instruction on "Appointment of President Judges and Supervising Judges"
- xvi. Decision on "Reassignment of Judges to Serious Crimes Department of the Basic Courts"
- xvii. Decision on "Reassignment of Judges to the Commercial Department of the Basic Courts"
- xviii. Decision on "Reassignment of Judges to the General Department of the Basic Courts"
- xix. Decision on "Reassignment of Judges to the Administrative Department of the Basic Courts"
- xx. Decision on "Reassignment of Judges to the Juvenile Department of the Basic Courts"
- xxi. Amendments to the Regulations on Organization and Internal Activity of the Courts;
- xxii. Administrative Instruction for the Selection of the Chair of the KJC
- xxiii. EROL prepared an analysis of setting of judicial salaries under the LoC
- xxiv. Administrative Instruction on selection & compensation of experts in criminal cases by prosecution

Year 3

- i. Administrative Instruction on Court Revenues.
- ii. Administrative Instruction on Duty Travel Abroad.
- iii. Administrative Instruction on Court Deposits.
- iv. Administrative Instruction on the form Content and Use of Stamps
- v. Administrative Instruction on the Rules of the Use of Petty Cash Fund by Courts.
- vi. Administrative Instruction on the Rules of the Use of Petty Cash Fund by the KJC.
- vii. Administrative Instruction on High Level Corruption.
- viii. Administrative Instruction on SOP for the Rights of Victims.
- ix. Regulation for disciplinary Committee Performance.

- x. Regulation on Supplementing the Regulation on IO of the Courts.
- xi. Regulation on Criteria and Procedures for Selection and Proposal for Appointment of Chief State Prosecutor.
- xii. Regulation on Mandate Structure and Functioning of the Office for Protection and Support to Victims.
- xiii. Regulation on the Evaluation of Performance of Judges.
- xiv. Regulation on the Proposal Procedure for Appointment and Reappointment of Judges.

Year 4

- i. Regulation on promotion of Judges adopted on 8 April 2014;
- ii. Regulation on disciplinary procedure of KJC members adopted on 21 May 2014;
- iii. Administrative Instruction for official travel adopted on 21 May 2014
- iv. Administrative Instruction on the use of official vehicles adopted on 21 May 2014
- v. Instruction on procedures for compensation of defense counsels at public expense adopted on 18 June 2014
- vi. Amendment to the Regulation on Supplementing the Regulation on Internal Organization of the Courts, adopted on July 16, 2014.
- vii. Amendment to the Regulation on Nomination of the Chief State Prosecutor, adopted on Dec 3, 2014.
- viii. "Meeting Manual" for the Kosovo Judicial Council.

Extension period (Apr 1 – Aug 15, 2015)

- i. Regulation on Election of Kosovo Judicial Council Members, adopted on May 21, 2015
- ii. Amendments for the Law on KPC.
- iii. Amendments for the Law on State Prosecutor.
- iv. Amendments for the Law on KJC.
- v. Amendments for the Law on Courts.
- vi. Regulation on Procedures for the Election, Appointment, Suspension and Dismissal of Court Presidents and Supervisory Judges.

Name of Intermediate Result:	Improved Delivery of Justice; 2.2 Increased independence and accountability of the judicial system
Name of Indicator:	10. Number of regulations and procedures related to judicial transparency adopted with USG assistance
Precise Definition(s):	Regulations or procedures that improve transparency include all legal, regulatory, administrative, or management changes, as well as civil society initiatives, that enhance public access to legal and judicial processes or to information about those processes and their outcomes.

Comment

Indicator successfully accomplished and exceeded. EROL team provided substantial support on legislative drafting in order to improve the quality of legal services provided to the Government of Kosovo and its citizens. EROL provided support on the improvement of primary and secondary justice sector legislation through its contribution on the total of 58 Administrative Instructions, Regulation and Procedures and Decisions. Please, see the list below.

Year

Year 1

- vii. The KJC Administrative Instruction on the Submission of Proposals for Appointment of Candidates as Judge has been drafted and entered into force.
- viii. The KPC Administrative Instruction on the Submission of the Proposals for Appointment of Candidates as Prosecutors was drafted and entered into force.
- ix. The KJC Administrative Instruction on the Reassignment/Transfer of Judges to the Court of Appeal.
- x. The KJC Regulation on the Evaluation of Performance of Judges.
- xi. The PO Regulation on the Appointment of Candidates proposed as Judges was drafted and entered into force.
- xii. The PO Regulation on the Appointment of Candidates proposed as Prosecutors was drafted and entered into force.

Year 2

- xxv. KJC Code of Ethics adopted by KJC on 8 October 2012;

- xxvi. Amendments to the Law on Courts. Adopted by Kosovo Assembly on 20 December 2012 and published in Official Gazette on 28 December 2012;
- xxvii. Regulation on Organizational Matters and Activities of the Courts adopted by the KJC on 2 November 2012;
- xxviii. Instruction on Assignment of Pending Cases adopted by the KJC on 26 November 2012;
- xxix. Regulation on the Organization and Activity of the KJC adopted by the KJC on 2 November 2012;
- xxx. Amended Regulation on the Organization and Activity of the KJC adopted by the KJC on 26 December 2012;
- xxxi. Administrative Instruction on Compensation of Members of the KJC and Other Officials in Committees and Working Groups adopted by the KJC on 2 November 2012;
- xxxii. Regulation on Recruitment Procedure for Apprentices in Courts adopted by the KJC on 2 November 2012;
- xxxiii. Administrative Instruction on Compensation Procedure to Persons Wrongfully Convicted or Arrested adopted by the KJC on 2 November 2012;
- xxxiv. Amended Administrative Instruction on Compensation Procedure to Persons Wrongfully Convicted or Arrested adopted by the KJC on 26 December 2012;
- xxxv. Organizational Chart of New Court Structure;
- xxxvi. Regulation on the Appointment of Prosecutors' Process (July 4, 2012)
- xxxvii. Regulation on the Assignment and Transfer of the Support Staff (August 10, 2012)
- xxxviii. Regulation on "Reassignment and Transfer of Judges to the Basic Courts and Branches of the Basic Courts"
- xxxix. Instruction on "Appointment of President Judges and Supervising Judges"
- xl. Decision on "Reassignment of Judges to Serious Crimes Department of the Basic Courts"
- xli. Decision on "Reassignment of Judges to the Commercial Department of the Basic Courts"
- xlii. Decision on "Reassignment of Judges to the General Department of the Basic Courts"
- xliii. Decision on "Reassignment of Judges to the Administrative Department of the Basic Courts"
- xliv. Decision on "Reassignment of Judges to the Juvenile Department of the Basic Courts"
- xlv. Amendments to the Regulations on Organization and Internal Activity of the Courts;
- xlvi. Administrative Instruction for the Selection of the Chair of the KJC
- xlvii. EROL prepared an analysis of setting of judicial salaries under the LoC
- xlviii. Administrative Instruction on selection & compensation of experts in criminal cases by prosecution

Year 3

- xv. Administrative Instruction on Court Revenues.
- xvi. Administrative Instruction on Duty Travel Abroad.
- xvii. Administrative Instruction on Court Deposits.
- xviii. Administrative Instruction on the form Content and Use of Stamps
- xix. Administrative Instruction on the Rules of the Use of Petty Cash Fund by Courts.
- xx. Administrative Instruction on the Rules of the Use of Petty Cash Fund by the KJC.
- xxi. Administrative Instruction on High Level Corruption.
- xxii. Administrative Instruction on SOP for the Rights of Victims.
- xxiii. Regulation for disciplinary Committee Performance.
- xxiv. Regulation on Supplementing the Regulation on IO of the Courts.

- xxv. Regulation on Criteria and Procedures for Selection and Proposal for Appointment of Chief State Prosecutor.
- xxvi. Regulation on Mandate Structure and Functioning of the Office for Protection and Support to Victims.
- xxvii. Regulation on the Evaluation of Performance of Judges.
- xxviii. Regulation on the Proposal Procedure for Appointment and Reappointment of Judges.

Year 4

- ix. Regulation on promotion of Judges adopted on 8 April 2014;
- x. Regulation on disciplinary procedure of KJC members adopted on 21 May 2014;
- xi. Administrative Instruction for official travel adopted on 21 May 2014
- xii. Administrative Instruction on the use of official vehicles adopted on 21 May 2014
- xiii. Instruction on procedures for compensation of defense counsels at public expense adopted on 18 June 2014
- xiv. Amendment to the Regulation on Supplementing the Regulation on Internal Organization of the Courts, adopted on July 16, 2014.
- xv. Amendment to the Regulation on Nomination of the Chief State Prosecutor, adopted on Dec 3, 2014.
- xvi. "Meeting Manual" for the Kosovo Judicial Council.

Extension period (Apr 1 – Aug 15, 2015)

- vii. Regulation on Election of Kosovo Judicial Council Members, adopted on May 21, 2015
- viii. Amendments for the Law on KPC.
- ix. Amendments for the Law on State Prosecutor.
- x. Amendments for the Law on KJC.
- xi. Amendments for the Law on Courts.
- xii. Regulation on Procedures for the Election, Appointment, Suspension and Dismissal of Court Presidents and Supervisory Judges.

Name of Intermediate Result:	Improved Delivery of Justice; 2.2 Increased independence and accountability of the judicial system
Name of Indicator:	11. Number of government media relations staff trained with USG assistance
Precise Definition(s):	Staff must be employed by government, and media relations must be at least one of their substantive responsibilities.

Comment

Indicator successfully accomplished. The justice sector has recognized that its image has suffered and at the same time it has realized the importance of the effective public communication. New Public Information Officers (PIOs) have been largely inexperienced, most without significant formal training in media relations or communications and so did not have a positive impact on their courts' press or publicity. EROL team through its continuous support to the justice sector improved communications and media relations of the sector with the public. With the completion of the EROL Program and through the trainings provided below 83 government media relations staff have been equipped with the skills and techniques on communications and media relations with the public.

Year 1

- i. KJC Website Strategy Workshop attended by members of KJC Secretariat; KPC; KJI; Supreme Court, District Courts, Municipal Courts; and Commercial Court of Pristina

Year 2

- ii. "Advanced Public Relations Skills and Crisis Communication" for justice institutions Spokespersons, Advisors and Leadership" training. EROL Program equipped spokespersons, information officers, advisors and leadership of justice sector institutions with the skills to allow them to more clearly address the concerns of the public and increase public knowledge of justice sector reforms, improve their skills in handling high profile cases.
- iii. Through series of Best Public Relation Practices for Better Media Relations workshops Government Media Relations staff has been trained on the role of a modern public information office in a modern judicial system and core communication competencies, as well as crisis communication management; practical exercises focused on designing and delivering persuasive media messages; how to identify and avoid media traps, while using techniques to reiterate positive message, and how to act in front of cameras; create the concept for public and media relations; draft protocols and procedures to guide both internal and external communication, and the role and function of PR offices.
- iv. During the third quarter additional Government Media Relations staff trained on the above mentioned trainings.

Year 3

i. EROL team trained 5 new hired staff on media relations trainings mentioned above.
Year 4

- i. “Strategic Learning for Court Public information Officers” workshop was delivered to government media relation staff.
- ii. “KJC Web Portal Training”

Name of Intermediate Result: Improved Delivery of Justice; 2.2 Increased independence and accountability of the judicial system

Name of Indicator: 12. Constitutional Court scorecard that rates progress on EROL goals for that body

Precise Definition(s): Benchmark outcome indicator. Progress on tab "CC" toward approved and consensed activities, in consultation with USAID and Kosovar stakeholders. Total activities to be completed: 17

Comment

Indicator successfully accomplished. The complex nature of the activities demanded that some indicators show outcomes through benchmarking – reaching milestones successfully along a multi-stage process. The scorecard indicator allowed for rating of 0, 1 or 2 to reflect the status of these benchmarks. A rating of “0” meaning that the activity has not yet begun or is in its initial stages; rating “1” for an ongoing activity; and a rating of “2” indicating the completion of an activity. Scorecard modified throughout of the Life of Project to better represent completion of activities under respective scorecard. Instead of 0, 1 and 2 as a score EROL team agreed that for the benefit of simplifying the progress achieved the activities completed will be marked with “x” showing the quarter when the respective activity is completed. Thus, by the end of Year 4 of the EROL Program implementation the respective scorecard (please, see under Appendix D: PMP Scorecards) shows the completion of activities foreseen within the scorecard.

Name of Intermediate Result:	Improved Delivery of Justice; 2.2 Increased independence and accountability of the judicial system
Name of Indicator:	13. Improved performance on scale considering key factors of an acceptable disciplinary system
Precise Definition(s):	Outcome indicator. Based on key factors of an acceptable disciplinary system (including ensuring timeliness of disciplinary hearings, the presence of a system for processing complaints and adherence to that system, and a review of sanctions executed against sanctions imposed), a score of 0-3 will be assigned.

Comment

Indicator dropped. In preparation for efforts to improve resources available to judges and the effectiveness of disciplinary processes, a study tour to the US was conducted on the topic of ethics, conduct and discipline. Additionally, preparations were undertaken for an STTA to work with the KJC on the development of a Code of Conduct and Ethics. To be more efficient, EROL and ECLO/HD agreed in 2012 that HD would take the lead in developing regulations for the Disciplinary Council while EROL would take the lead in developing the Code of Ethics and Conduct for Judges. EROL prepared a research memorandum at the request of the KJC regarding the rationale behind the practice of publishing disciplinary final decisions.

Name of Intermediate Result: Improved Delivery of Justice; 2.3 More effective operations of the justice system

Name of Indicator: 14. # of USG-assisted courts with improved case management

Precise Definition(s): # of USG-assisted courts with improved case management, as defined by EROL model court norms. Examples of improvement: case documents are available to parties upon request; statistical data on cases is routinely compiled; system manages flow of cases through scheduling set by procedural law; data elements are coherent and compatible with related information systems such as those of the police, prosecution and corrections agencies; cases are uniquely identified, registered, indexed and filed.

Comment

Number of USG-assisted courts with improved case management is 27 courts. There are 29 courts including Zubin Potok and Leposavic. Target was to maintain Year 3 achievements and only increase to 29 if the North opens - which has been beyond EROL Program control. The total number of twenty-seven (27) courts is based on the cumulative work from project start to date and they have implemented a variety of improvement initiatives and while no two courts are identical each has implemented elements to improve case management. (Please, see table below for reference)

Task Order #-Court Name	Refurbishment Period	
	Start Date	End Date
TO1-Court of Appeals	1-Nov-12	10-Feb-13
TO2-Supreme Court	2-Apr-13	8-Aug-13
TO3-Rahovec MC	17-Dec-12	12-Mar-13
TO4-Suhareka MC	11-Mar-13	22-Jun-13
TO5-Viti MC	17-Jan-13	18-Apr-13
TO6-Istog MC	21-Jan-13	18-May-13
TO7-Lipjan	28-Jan-13	18-May-13
TO8-Gjilan	28-Feb-13	30-Apr-13
TO9-Dragash	5-Aug-13	23-Oct-13
TO10-Glogovc	2-Sep-13	6-Dec-13
TO11 Kacanik	2-Dec-13	6-Mar-13

Task Order #-Court Name	Refurbishment Period	
	Start Date	End Date
TO12 Decan	13-Jan-14	15-May-14
TO13 Podujeve	20-Feb-14	26-May-14
TO14 Kline	1-Aug-14	8-Nov-14
TO15 Malisheve	12-Jun-14	20-Sep-14
TO 16 Sterpce	20-Jun-14	16-Aug-14
Mitrovica Basic Court Minor Repair		Mar-14
Mitrovica Basic Court Minor Repair II		12/11/2014
Archive shelves for Basic Court of Pristina		21/6/2015
Archive shelves for Court of Appeal		30/6/2015
Vushtrri Court-furnishing		19/5/2015

Architectural and Engineering Design Finalized for Leposavic and Zubin Potok Courts completed July/August, 2015.

Name of Intermediate Result: Improved Delivery of Justice; 2.3 More effective operations of the justice system

Name of Indicator: 15.Ratio of all dispositions to new case filings in courts assisted by USG in the area of case management

Precise Definition(s): Annual ratio of dispositions to new case filings in courts assisted by USG in the area of case management. Courts as defined by specific jurisdiction.

Comment

The target goal of 1.0 is the standard goal for all courts and is the minimum that any court should aim for. It implies a ratio of no less than one case resolved for every one filed. The rate is aspirational for the courts of Kosovo and while obtained in individual case types in individual courts it cannot be obtained in the system as a whole until such time as fundamental process change, and shifts in legal culture are implemented across the system and enforced by a group of "champions" willing to hold the judiciary as a whole accountable to the standard and willing to enforce process and performance standards system wide. The current system of "norms" undermines the ability to reach the 1.0 rate. Likewise the current system of disparate case processing systems limits both efficiency and accountability. EROL has proven through its BRT's that a rate higher than 1.0 can be achieved when practical process changes are applied.

Case disposition rate (closing/new) for the final reporting period = 0.59

Name of Intermediate Result: Improved Delivery of Justice; 2.3 More effective operations of the justice system

Name of Indicator: 15a.Ratio of new case filing to case dispositions in courts assisted by USG in the area of case management

Precise Definition(s): Annual ratio of dispositions to new case filings in courts assisted by USG in the area of case management. Courts as defined by specific jurisdiction.

Comment

As noted in prior reports this is not a standard court performance measurement and provides little to no insight into the true performance of any court.

Case disposition rate (new/closing) for the final reporting period = 1.69

Name of Intermediate Result: Improved Delivery of Justice; 2.3 More effective operations of the justice system

Name of Indicator: 16. % of pending cases older than 24 months

Precise Definition(s): Number of cases heard and resolved within 24 months, divided by all cases in the justice system

Comment

A review of the past 4 quarters shows the courts holding the backlog steady at 40.29% on average. Fluctuations range between +/- .75 - .95%. This is indicative of a system maintaining the status quo - making no broad based changes to the "process" and failing to aggressively and systematically address the backlog in coordination with the current workload. While there are individual courts who have taken more aggressive approaches (among them the courts with EROL supported BRT) and seen success in those efforts they are the exception to the rule. Achieving a 10% reduction on the percentage of cases older than 24 months was also hindered by the loss of 1/3 of the overall working days as a result of the judicial strike.

Percentage of Cases pending over 24 months for the final reporting = 43.82%

Name of Intermediate Result: Improved Delivery of Justice; 2.3 More effective operations of the justice system

Name of Indicator: 17. More efficient and professional model courts

Precise Definition(s): Benchmark outcome indicator. Progress on "MC" scorecard toward measures to improve Model Courts, in consultation with USAID and Kosovo stakeholders. Each MC is subject to 9 standards, with a score of 0 -3 on each. Total score possible: 540 over four years (cumulative in parens)

Comment

Indicator successfully accomplished. Total of 459 points scored on the Model Court Program Scorecard. The complex nature of the activities demanded that some indicators show outcomes through benchmarking – reaching milestones successfully along a multi-stage process. The scorecard indicator allowed for rating of 0, 1 or 2 and 3 to reflect the status of these benchmarks. A rating of “0” meaning that the activity has not yet begun or is in its initial stages; rating “1” for an ongoing activity; and a rating of “2” indicating the completion of an activity. Scorecard modified throughout of the Life of Project to better represent completion of activities under respective scorecard. Instead of 0, 1, 2 and 3 as a score EROL team agreed that for the benefit of simplifying the progress achieved the activities completed will be marked with “x” showing the quarter when the respective activity is completed. Thus, by the end of Year 4 of the EROL Program implementation the respective scorecard (please, see under Appendix D: PMP Scorecards) shows the completion of activities foreseen within the scorecard.

Name of Intermediate Result:	Improved Delivery of Justice; 2.3 More effective operations of the justice system
Name of Indicator:	18. Number of strategic plans for justice sector reform adopted with USG assistance
Precise Definition(s):	A strategic plan for justice sector reform matches overall priorities with specific tasks, establishes timelines and benchmarks, and includes broad consultation among key stakeholders. USG support can facilitate the development of a plan, provide technical input, encourage consultation and input from stakeholders, and help coordinate among donors.

Comment

Indicator successfully accomplished. Under the MOU with the EU's HD project, EROL led development of the second strategic plan. With EROL support Kosovo Judicial Council (KJC) and Kosovo Prosecutorial Council (KPC) have developed and adopted their respective Strategic Plans. The KJC and KPC completed strategic plans and now they will be able to develop protocols regarding their mandates as decision and policy making bodies. Court administration will now take center stage as the KJC and courts develop interdependent ways to address the longstanding issues of backlog reduction, organizational efficiency, statistical and reporting reliability, and customer service. In addition EROL team provided support on the development of the KJC national backlog reduction strategy and communication strategy.

Name of Intermediate Result: Improved Delivery of Justice; 2.3 More effective operations of the justice system

Name of Indicator: 19. Median case disposition time in courts assisted by USG in the area of case management

Precise Definition(s): Median case disposition time is measured from filing to the date parties are notified of case resolution by the court. Courts as defined by specific jurisdiction.

Comment

Like the % of cases older than 24 months this indicator is directly impacted by the lack of process change made on a system wide basis and was also adversely impacted by the judicial strike which saw the courts addressing only those cases legally defined as urgent. In this indicator a smaller number is indicative of case processing effort that address current workload over the backlog, while a system actively addressing older cases would have a higher median time to disposition. A concerted effort directed at the backlog will see this number rise as evidenced by the courts with BRT's where we have median times of 14.7 and 21.3 while the system as a whole sits at 9.7

Median disposition time in months for the final reporting period = 3.71

Name of Intermediate Result: Improved Delivery of Justice; 2.3 More effective operations of the justice system

Name of Indicator: 20. Improved administrative performance, as defined from prosecutors' perspective

Precise Definition(s): Model court and KPC activities should improve administrative performance.

Comment

Indicator successfully accomplished. Survey conducted with sample questionnaires distributed among 10 KPC members out of 93 in total. EROL Program received back ten (10) questionnaires with positive feedback on the improved administrative performance of KPC activities through EROL Program support.

Name of Intermediate Result: Improved Delivery of Justice; 2.3 More effective operations of the justice system

Name of Indicator: 21. Kosovo Judicial Council scorecard that rates progress on EROL goals for that body

Precise Definition(s): Benchmark outcome indicator. Progress on scorecard toward approved and consensed activities, in consultation with USAID and Kosovar stakeholders. Total activities to be completed: 19

Comment

Indicator successfully accomplished. The complex nature of the activities demanded that some indicators show outcomes through benchmarking – reaching milestones successfully along a multi-stage process. The scorecard indicator allowed for rating of 0, 1 or 2 to reflect the status of these benchmarks. A rating of “0” meaning that the activity has not yet begun or is in its initial stages; rating “1” for an ongoing activity; and a rating of “2” indicating the completion of an activity. Scorecard modified throughout of the Life of Project to better represent completion of activities under respective scorecard. Instead of 0, 1 and 2 as a score EROL team agreed that for the benefit of simplifying the progress achieved the activities completed will be marked with “x” showing the quarter when the respective activity is completed. Thus, by the end of Year 4 of the EROL Program implementation the respective scorecard (please, see under Appendix D: PMP Scorecards) shows the completion of activities foreseen within the scorecard.

Name of Intermediate Result: Improved Delivery of Justice; 2.3 More effective operations of the justice system

Name of Indicator: 22. Kosovo Prosecutorial Council scorecard that rates progress on EROL goals for that body

Precise Definition(s): Benchmark outcome indicator. Progress on scorecard toward approved and consensed activities, in consultation with USAID and Kosovar stakeholders. Total activities to be completed: 14

Comment

Indicator successfully accomplished. The complex nature of the activities demanded that some indicators show outcomes through benchmarking – reaching milestones successfully along a multi-stage process. The scorecard indicator allowed for rating of 0, 1 or 2 to reflect the status of these benchmarks. A rating of “0” meaning that the activity has not yet begun or is in its initial stages; rating “1” for an ongoing activity; and a rating of “2” indicating the completion of an activity. Scorecard modified throughout of the Life of Project to better represent completion of activities under respective scorecard. Instead of 0, 1 and 2 as a score EROL team agreed that for the benefit of simplifying the progress achieved the activities completed will be marked with “x” showing the quarter when the respective activity is completed. Thus, by the end of Year 4 of the EROL Program implementation the respective scorecard (please, see under Appendix D: PMP Scorecards) shows the completion of activities foreseen within the scorecard.

Name of Intermediate Result: Improved Delivery of Justice; 2.3 More effective operations of the justice system

Name of Indicator: 23. Ministry of Justice scorecard that rates progress on EROL goals for that body

Precise Definition(s): Benchmark outcome indicator. Progress on scorecard toward approved and consensed activities, in consultation with USAID and Kosovar stakeholders. Total activities to be completed: 11 (7 additional if SAO moves forward)

Comment

Indicator successfully accomplished. The complex nature of the activities demanded that some indicators show outcomes through benchmarking – reaching milestones successfully along a multi-stage process. The scorecard indicator allowed for rating of 0, 1 or 2 to reflect the status of these benchmarks. A rating of “0” meaning that the activity has not yet begun or is in its initial stages; rating “1” for an ongoing activity; and a rating of “2” indicating the completion of an activity. Scorecard modified throughout of the Life of Project to better represent completion of activities under respective scorecard. Instead of 0, 1 and 2 as a score EROL team agreed that for the benefit of simplifying the progress achieved the activities completed will be marked with “x” showing the quarter when the respective activity is completed. Thus, by the end of Year 4 of the EROL Program implementation the respective scorecard (please, see under Appendix D: PMP Scorecards) shows the completion of activities foreseen within the scorecard.

Name of Intermediate Result: Improved Delivery of Justice; 2.3 More effective operations of the justice system

Name of Indicator: 24. Chamber of Notaries scorecard that rates progress on EROL goals for that body

Precise Definition(s): Benchmark outcome indicator. Progress on scorecard toward approved and consensed activities, in consultation with USAID and Kosovar stakeholders. Total activities to be completed: 17

Comment

Indicator dropped with USAID recommendation.

Name of Intermediate Result: Improved Delivery of Justice; 2.3 More effective operations of the justice system

Name of Indicator: 25. Office of the President scorecard that rates progress on EROL goals for that body

Precise Definition(s): Benchmark outcome indicator. Progress on scorecard toward approved and consensed activities, in consultation with USAID and Kosovar stakeholders. Total activities to be completed: 10

Comment

Indicator successfully accomplished. The complex nature of the activities demanded that some indicators show outcomes through benchmarking – reaching milestones successfully along a multi-stage process. The scorecard indicator allowed for rating of 0, 1 or 2 to reflect the status of these benchmarks. A rating of “0” meaning that the activity has not yet begun or is in its initial stages; rating “1” for an ongoing activity; and a rating of “2” indicating the completion of an activity. Scorecard modified throughout of the Life of Project to better represent completion of activities under respective scorecard. Instead of 0, 1 and 2 as a score EROL team agreed that for the benefit of simplifying the progress achieved the activities completed will be marked with “x” showing the quarter when the respective activity is completed. Thus, by the end of Year 4 of the EROL Program implementation the respective scorecard (please, see under Appendix D: PMP Scorecards) shows the completion of activities foreseen within the scorecard.

Name of Intermediate Result: Improved Delivery of Justice; 2.3.1 Courthouse infrastructure improved

Name of Indicator: 26. # of Court Improvement Plans refurbishment objectives achieved

Precise Definition(s): # of rehabilitated courts per the Model Courts Court Improvement Plans and the achievement of these objectives. Courts will be counted as improved when all objectives on the Plans have been reached.

Comment

Indicator accomplished. In Kosovo many court buildings have had inadequate public access, insufficient space and unsatisfactory working conditions for judges and staff. Court case backlogs have grown because of poor caseload management procedures and a lack of automation. The KJC provided local courts with limited direction for the administration of the courts and as a result local court management initiatives were often developed and implemented without coordination between and among courts or the KJC. The USAID Model Courts Program (MCP) provided ten courts with renovations to court facilities to improve the accessibility, transparency and openness of each Model Court (MC). To support the MCP the KJC adopted and promulgated new administrative procedures and policies to improve the accountability and administrative governance of the MC courts. The USAID MCP resulted in the courts implementing improved administrative and financial procedures; improved records management techniques; case backlog reduction plans; time standards for adjudicating cases; and public outreach programs.

Building upon the success of the USAID Model Courts Program, EROL continued to expand the Model Court Program to all Kosovo courts. The improved efficiency, transparency and openness of the courts represent the key standards of the EROL Model Court Program. (Please, see below the list of Model Courts)

Year	Target	Actual
Year 1	8	10
Year 2	16	12
Year 3	24	22
Year 4	27	27

Name of Intermediate Result: Strengthened Mechanisms for Citizens to Represent Their Interests and Hold the Government Accountable

Name of Indicator: 27. # of page visits per month on the interactive website on pending legislation

Precise Definition(s): Number of unique page visits per month on the interactive website to the page of pending legislation

Year	Target	Actual
Year 1	0	N/A
Year 2	250	9,376 clicks
Year 3	500	217,528 clicks
Year 4	1,000	812,441 clicks
Extended Period		302,844 clicks

Name of Intermediate Result: Strengthened Mechanisms for Citizens to Represent Their Interests and Hold the Government Accountable

Name of Indicator: 28. Number of USG-assisted Civil Society Organizations that engage in advocacy and watchdog functions

Precise Definition(s): CSOs must be actively engaged in these functions, and be able to demonstrate that they are so engaged.

Comment

EROL assisted USAID to focus USAID FORWARD funding on efforts to help citizens better understand the courts through sub-grants for court monitoring and a separate grant for a nationwide public awareness campaign aimed at educating citizens about the roles and responsibilities of actors within the justice system.

USAID awarded two (2) grants (ATRC and BIRN) under USAID Forward Request for Application - (RFA Number #01-2012) Increasing Citizens' Awareness and Participation in the Justice System.

Under USAID Forward, Two (2) grants have been awarded to local partners, Balkan Investigative Reporting Network – BIRN to implement a one year nationwide public awareness campaign to educate citizens about the roles and responsibilities of actors within the justice system and Advocacy Training and Resource Center – ATRC the USAID Forward grantee awarded 13 Court Monitoring Initiative throughout Kosovo.

Name of Intermediate Result: Strengthened Mechanisms for Citizens to Represent Their Interests and Hold the Government Accountable

Name of Indicator: 29. Number of functioning Public Reception and Orientation Platforms (PROPs) in model courts

Precise Definition(s): Number of PROPS installed in model courts. To be counted, a PROP must meet Model Court standards as tested by auditors posing as court users.

Comment

All courts had PROPS.

Name of Intermediate Result:	Strengthened Mechanisms for Citizens to Represent Their Interests and Hold the Government Accountable; 3.1 Increased professionalism of citizen groups and journalists to monitor government activity and influence policy
Name of Indicator:	30. # of USG-assisted campaigns and programs to enhance public understanding, NGO support and media coverage of judicial independence and accountability
Precise Definition(s):	Campaigns include all organized outreach activities intended to build support for the particular cause, relying, for example, on electronic media, print media, public meetings, plays etc.

Comment

Indicator successfully accomplished. A significant objective of EROL's minority outreach activities was communicating to under-represented communities' information about careers in law in the courts and legal practice, examination requirements for attorney licensing, and reciprocity of law degrees from countries outside of Kosovo. To accomplish this, EROL created a set of brochures in cooperation with the KJC, addressing each of these topics in easy-to-understand, plain language with wide distribution also in cooperation with the KJC. Brochures included: i. Choose Your Profession; ii. What is the BAR Exam?; and Evaluation and Recognition of Diplomas.

Another integral piece of EROL's public outreach activities was providing minority communities with basic information about the new court and prosecutor's office structure, beginning January 2013. EROL also provided information regarding career opportunities in the legal profession, as minority representation in the judicial sector is generally below minimums set under Kosovo law, including the Constitution, the Law on the Kosovo Judicial Council, and Law on Courts.

Audience

The audience targeted for these outreach meetings were youth from all minority communities in Kosovo, who were current, graduate or potential law students (ages 17-30). EROL's second audience were the general minority community population, while the third were representatives from educational institutions, NGOs, minority media and relevant justice stakeholders.

Agenda

EROL worked closely with the KJC and KPC to develop outreach meeting agendas. Whenever possible, judges, prosecutors, and representatives from the KJC, KPC and KCA were encouraged to join programs. EROL made a special effort to invite judges and prosecutors from minority communities for panels discussing equal access to justice, employment opportunities, and the advantages and disadvantages of daily work in the legal profession. From the tenor of discussions, and number of questions asked, students appreciated access to minority judges and prosecutors and for many, it was the first time to dialog with professional members of their communities. In addition to discussions, EROL integrated TV clips on the new court and prosecutorial office structure which was broadcast during mid-December 2012.

Number of public outreach campaigns with minority communities and number of public outreach campaigns with law students during the Life of Project is total of 44 USG assisted public outreach campaigns.

Name of Intermediate Result:	Strengthened Mechanisms for Citizens to Represent Their Interests and Hold the Government Accountable; 3.1 Increased professionalism of citizen groups and journalists to monitor government activity and influence policy
Name of Indicator:	31. Number of campaigns supported by USG to foster awareness and respect for rule of law
Precise Definition(s):	This indicator measures the number of campaigns conducted by EROL that inform, educate and promote better understanding and respect for the rule of law. Campaigns are those initiatives and activities supported by EROL that deliver messaging, information to citizens with the goal of increasing awareness and adherence to the rule of law.

Comment

Indicator successfully accomplished. A significant objective of EROL's minority outreach activities was communicating to under-represented communities' information about careers in law in the courts and legal practice, examination requirements for attorney licensing, and reciprocity of law degrees from countries outside of Kosovo. To accomplish this, EROL created a set of brochures in cooperation with the KJC, addressing each of these topics in easy-to-understand, plain language with wide distribution also in cooperation with the KJC. Brochures included: i. Choose Your Profession; ii. What is the BAR Exam?; and Evaluation and Recognition of Diplomas.

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Number of public outreach campaigns with minority communities and number of public outreach campaigns with law students during the Life of Project is total of 44 USG assisted public outreach campaigns.

Name of Intermediate Result: Improved Delivery of Justice; 2.1 Increased capacity of justice sector professionals

Name of Indicator: 32. Number of judges and judicial personnel trained with USG assistance

Precise Definition(s): This indicator counts the number of judges and judicial personnel trained by EROL. The term “judicial personnel” includes only court staff. Each judge or individual judicial personnel can only be counted once during the year (i.e., if a judge attends more than one training in a year, s/he will only be counted once.).

Comment

During the fourth year of the EROL Program implementation “Number of judges and judicial personnel trained with USG assistance” was added to EROL PMP. The emphasize of this indicator has been to track the number of unique individual judges and court staff trained within each year (please, note that the list below represent the number of unique judge and court staff individuals trained within the respective year)

Yr1:	Min=6	Yr4:	Min=0
T= 174	Cs =686	T= 235	Cs =194
J=27	M=417	J=79	M=95
M=20	F=269	M=61	F=99
F=7	Min=30	F=18	Min=9
Min=0	Yr3:	Min=1	
Cs =147	T= 1,099	Cs =156	
M=106	J=240	M=60	
F=41	M=172	F=96	
Min=4	F=68	Min=7	
Yr2:	Min=7	Extended period	
T= 836	Cs =859	T= 173	
J=150	M=408	J=0	
M=111	F=451	M=0	
F=39	Min=60	F=0	

Name of Intermediate Result: Improved Delivery of Justice; 2.1 Increased capacity of justice sector professionals

Name of Indicator: 33 Number of legal institutions and associations supported by USG

Precise Definition(s): Indicator 2.1.3-8

Comment

EROL worked with thirty five justice institutions.

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Base-line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Actual	Program extension period Apr 1 – Aug 15, 2015				Life of Project	
							Q1	Q2	N/A	N/A		
IR2:	IMPROVED DELIVERY OF JUSTICE											
1	% of citizens and court users satisfied with the justice system Unit: %. Disaggregated by sex, region, rural/urban, and minority groups.	Public opinion poll to determine whether reform has an impact on satisfaction with and knowledge of the justice system Baseline survey conducted Year 3 Quarter 1	76% positive for court users	--	--	76% positive for court users	73% positive for court users	-	-	-	-	73% positive for court users
2.1.	Increased capacity of justice sector professionals											
2	# of justice sector personnel that received USG training Unit: #; disaggregated by sex and role	Standard F output indicator. Shows coverage when compared to the universe. Disaggregation by gender and minorities will measure against related targets. Also disaggregated by role (judges, prosecutors, court staff, etc.) Targets TBD in consultation with USAID/Kosovo as training plans are finalized. J = judge P = prosecutor C = court staff O = others* *Other = KJI, KJC, MOJ, OP Min = From non-majority communities	T= 200 M=140 F=60 Min=4 J.=27 P.=1 C.=147 O.=25	T=1,095 M=703 F=392 Min=47 J.=150 P.=102 C.=686 O.=157	T=1,196 M=639 F=557 Min=71 J.=240 P.=14 C.=859 O.=83	T=366 M=196 F=170 Min=21 J.=79 P.=6 C.=156 O.=125	T=191 M=99 F=92 Min=8 J.=0 P.=0 C.=173 O.=18	T=21 M=10 F=11 Min=4 J.=0 P.=0 C.=21 O.=1	-	-	N/A	
2a	Number of people/person days of training	Custom indicator that reflects the overall volume and breadth of the EROL training program	9,500 days	1,857 days	3,847 days	5,745 days	841 days	294 days	42 days	days	days	12,626 people/person days of training

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Base-line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Actual	Program extension period Apr 1 – Aug 15, 2015				Life of Project
								Q1	Q2	N/A	N/A	
3	% of judges (J), prosecutors (P) and court staff (S) participating in CLE Unit: %; disaggregated by sex and status	Mission Custom outcome indicator. Shows extent to which continuing legal education has been institutionalized in the justice system. Also shows coverage (denominator is universe of individuals). Cumulative		N/A	--	--	J=99.40 % P=94.38 %	J=96.58 ² % P=94.44 %	J=96.58 % P=94.44 %	--	--	J=96.58% P=94.44%
4	# of legal courses or curricula developed with USG assistance Unit: #	Output indicator. Legal courses or curricula improve skills and capacity of justice sector personnel or the general public regarding the legal system in Kosovo. Development could include significant modification of existing courses or new courses. (new target Year 4)	0	3	13	8	3	--	--	--	--	27 legal courses or curricula developed with USG assistance
5	# of executive branch sector personnel trained with USG assistance Unit: # disaggregated by sex and role	Standard F output indicator. For the Office of the President, training in areas of administration, management or leadership skills or good governance practices.	0	9	6	7	3	--	--	--	--	25 executive branch sector personnel trained with USG assistance

² KJI provided Continuing Legal Education Program (CLEP) for sitting prosecutors and judges, including training courses for prosecutors and judges working in the judicial system seeking promotion and to the newly selected candidates. Target for this indicator has been achieved and exceeded. Cumulative progress toward set up target for this indicator in Yr5 Q1 dropped due to the newly appointed judges and prosecutors; 8 new appointed judges and 2 new appointed prosecutors participated in CLE Program. As a result we have an increased total number of judges and prosecutors within the Kosovo justice system, thus providing us with new results: J=96.58% trained judges, including new appointed judges and P=94.44% trained prosecutors; including 8 retired and 8 resigned prosecutors during the period 2011-2015) trained.

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Base-line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Actual	Program extension period Apr 1 – Aug 15, 2015				Life of Project
								Q1	Q2	N/A	N/A	
6	# of USG-supported trainers receiving pedagogical training (ToT) for their role in KJI and other judicial trainings, and replicate skills learned Unit: #; disaggregated by sex	Output and outcome indicator. Must attend 80% of ToT training and pass post-test of knowledge, which may include observation of training practices as well as testing. In later program years training will taper for this audience. (new target Year 4)	0	0	29	30	24	--	--	--	--	83 trainers received pedagogical training (ToT)
7	Simple case studies of persons trained by EROL or EROL-trained instructors (e.g., judge, prosecutor, PR staff, KJI instructor)	Qualitative cases of trainees, identified through instructors, to discover training impacts on job performance and occupational behaviors. Range of roles: judge, trainee judge, other trainees. Depending on role studied, cases can include interviews, observations, job performance data or other relevant metrics. (new target Year 4)	0	0	5	5	10	--	--	--	--	20 simple case studies developed during the Life of Project
8	KJI Scorecard rating of EROL's progress with KJI goals	Benchmark outcome indicator. Progress on KJI scorecard toward approved and consensed activities in consultation with USAID and Kosovar stakeholders. Measure: # of completed activities: Target – 17;	0	3	5	8	1	--	--	--	--	Scorecard activities successfully completed.
2.2.	Increased independence and accountability of the judicial system											

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Base-line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Actual	Program extension period Apr 1 – Aug 15, 2015				Life of Project
								Q1	Q2	N/A	N/A	
9	Number of laws, regulations and procedures related to judicial independence supported with USG assistance Unit: #	Standard F output indicator. Indicator 2.1.2-2 Refers to laws, regulations and procedures that are official and have been passed or amended in accordance with the country's legal requirements. Laws, regulations and procedures lay out the legal basis for building judicial independence and provide one significant indicator of government commitment. Some laws may also cover transparency.	0	6	24	14	8	5 ³	--	--	--	57 laws, decisions, regulations and procedures related to judicial independence completed during the Life of Project
10	Number of regulations and procedures that improve judicial transparency adopted with USG assistance Unit: #	Standard F output indicator. Indicator - Custom Refers to regulations and procedures that are official and have been passed or amended in accordance with the country's legal requirements. Laws, regulations and procedures lay out the legal basis for building judicial independence and provide one significant indicator of government	0	6	24	14	8	5	--	--	--	57 laws, decisions, regulations and procedures related to judicial independence completed during the Life of Project

³ amendments for the Law on KPC: <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=10935>

amendments for the Law on State Prosecutor: <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=10934>

amendments for the Law on KJC: <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=10933>

amendments for the law on courts: <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=10932>

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Base-line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Actual	Program extension period Apr 1 – Aug 15, 2015				Life of Project
								Q1	Q2	N/A	N/A	
		commitment. Some regulations/ procedures may also cover independence.										
11	Number of government media relations staff trained with USG assistance Unit:# Disaggregated by sex and office	Standard F output indicator. Staff must be employed by government, and media relations must be at least one of their substantive responsibilities. A free, effective and informed press depends on government support for freedom of the press, and on responsible, responsive and professional government officials working with the press.	0	10	59	5	8	--	--	--	--	83 government media relations staff trained during the Life of Project
12	Constitutional Court scorecard rating of EROL's progress with CC's goals	Benchmark outcome indicator. Progress on CC scorecard toward approved and consented activities in consultation with USAID and Kosovar stakeholders. Measure: # of completed activities: Target – 17;	0	6	9	2	--	--	--	--	--	Scorecard activities successfully completed.
13	Improved performance on scale considering key factors of an acceptable disciplinary system Unit: Scale of 0-3	Outcome indicator. Based on key factors of an acceptable disciplinary system (including ensuring timeliness of disciplinary hearings, the presence of a system for processing complaints and adherence to that system, and a review of sanctions executed against sanctions imposed), a score of 0-3 will be assigned. Under an MOU, EROL has primary responsibility for judicial ethics and		N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Base-line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Actual	Program extension period Apr 1 – Aug 15, 2015				Life of Project
								Q1	Q2	N/A	N/A	
		EC project has primary responsibility for disciplinary committee										
2.3.	More effective operations of the justice system											
14	# of USG-assisted courts w/ improved case management Unit: # Listed by site and type of court, as applicable	<u>Standard F outcome indicator</u> Indicator 2.1.3-13 Defined by Model Court norms. KJC to provide operational definition of floor measurement for “improved case management.” Baseline based on old court structure <u>Indicator is cumulative</u>	10	10	18	27	27	1	--	--	--	28 courts assisted with improved case management during the Life of Project
15	Ratio of all dispositions to new case filings in courts assisted by USG in the area of case management Unit: Ratio	<u>Standard F outcome indicator</u> Custom Applied to the Model Courts. Shows whether backlogs are increasing. Speed and efficiency of the courts serve as proxies for effectiveness of the justice system and of justice sector actors as a whole.	--	N/A	N/A	0.89	0.81	0.59	--	--		
15a	Ratio of new case filings to case dispositions in courts assisted by USG in the area of case management. Unit: Ratio	<u>Standard F outcome indicator</u> Indicator 2.1.3-15 Applied to the Model Courts. Shows whether backlogs are increasing. Speed and efficiency of the courts	--	N/A	N/A	1.12	1.23	1.69	--	--		

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Base-line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Actual	Program extension period Apr 1 – Aug 15, 2015				Life of Project
								Q1	Q2	N/A	N/A	
		serve as proxies for effectiveness of the justice system and of justice sector actors as a whole.										
16	% of pending cases older than 24 months Unit: %	REVISED Mission Custom indicator. This indicator measures the percentage of pending cases that are older than two years. This is a standard court management measure	--	N/A	N/A	40%	46.52%	43.82%	--	--		
17	More efficient and professional Model Courts	Benchmark outcome indicator. Progress on scorecard toward measures to improve Model Courts in consultation with USAID and stakeholders. Each Model Court is subject to 9 standards and score range of 0-3 for each.	0	162 (162)	189 (351)	189 (540)	459	--	--	--	--	Scorecard activities successfully completed.
18	Number of strategic plans for justice sector reform adopted with USG assistance	Standard F output indicator. Indicator Custom EROL will work with several bodies to develop strategic plans for justice sector reform, matching priorities with tasks, establishing timelines and benchmarks, and including broad consultation among key stakeholders. Sub-plans for departments or divisions developed as deemed useful and necessary by stakeholders.	0	2	0	1	1	--	--	--	--	4 Strategic Plans completed during the Life of Project

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Base-line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Actual	Program extension period Apr 1 – Aug 15, 2015				Life of Project
								Q1	Q2	N/A	N/A	
19	Median case disposition time in courts assisted by USG in the area of case management Unit: months	REVISED Standard F outcome indicator. Median case disposition time is measured from filing to the date parties are notified of case resolution by the court. Courts as defined by specific jurisdiction. Tracking the mean case disposition time permits a better understanding of the overall disposition rate of the courts.	--	--	--	13.6	11.28	3.71	--	--		
20	Improved administrative performance as defined from prosecutors' perspectives Unit: % improved	Outcome indicator. Model Court and KPC activities should improve administrative performance. Measured through questionnaires given to sample of prosecutors. (Baseline measure Year 2)	93%	--	93%	--	95%	--	--	--	--	Administrative performance defined from prosecutors perspective was assessed to be at 95%
Results/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Base-line	Yr1 Actual	Yr2 Actual	Yr3 Actual	Yr4 Target	Q1	Q2	Q3	Q4	
21	Kosovo Judicial Council scorecard rating of EROL's progress with KJC goals	Benchmark outcome indicator. Progress on KJC scorecard toward approved and consensed activities in consultation with USAID and Kosovo stakeholders. Measure: # of completed activities: Target - 19	--	7	2	9	1	--	--	--	--	Scorecard activities successfully completed.

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Base-line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Actual	Program extension period Apr 1 – Aug 15, 2015				Life of Project
								Q1	Q2	N/A	N/A	
22	Kosovo Prosecutorial Council scorecard rating of EROL's progress with KPC goals	Benchmark outcome indicator. Progress on KPC scorecard toward approved and consensed activities in consultation with USAID and Kosovo stakeholders. Measure: # of completed activities: Target – 14;	--	0	1	12	1	--	--	--	--	Scorecard activities successfully completed.
23	Ministry of Justice scorecard rating of EROL's progress with MOJ goals	Benchmark outcome indicator. Progress on MoJ scorecard toward approved and consensed activities in consultation with USAID and Kosovo stakeholders. Measure: # of completed activities: Target – 11; *7 additional if SAO moves ahead	--	7	2	2	*7	--	--	--	--	Scorecard activities successfully completed.
24	Chamber of Notaries scorecard rating of EROL's progress with CON goals	Benchmark outcome indicator. Progress on CON scorecard toward approved activities in consultation with USAID and stakeholders.	--	--	--	--	--	--	--	--	--	Indicator dropped in consultation with USAID
25	Office of the President scorecard rating of EROL's progress with OP goals	Benchmark outcome indicator. Progress on OP scorecard toward approved and consensed activities in consultation with USAID and Kosovo stakeholders. Measure: # of completed activities: Target – 10;	--	4	4	1	1	--	--	--	--	Scorecard activities successfully completed.
2.3.1.	Courthouse infrastructure improved											

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Base-line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Actual	Program extension period Apr 1 – Aug 15, 2015				Life of Project
							Q1	Q2	N/A	N/A	
26	# of Court Improvement Plan refurbishment objectives achieved Unit: cumulative #	10	10	12	22	27	1 ⁴	--	--	--	In total 28 court refurbishment improvement plans achieved during the Life of Project
27	# of page visits per month on the MOJ interactive website for pending legislation Unit: # per month	0	N/A	9,376 clicks	217,528 clicks	812,441 clicks	--	--	--	1,039.345 clicks/page visits at the MoJ interactive website for pending legislation achieved during the Life of Project	
28	Number of USG-assisted Civil Society Organizations that engage in advocacy and watchdog functions. Unit: #	0	0	2	26	15	--	--	--	43 USG-assisted Civil Society Organizations that engage in advocacy and watchdog functions achieved during the Life of Project	
29	# of functioning Public Reception and Orientation Platforms (PROPs) in model courts Unit: #	10	10	12	22	27	--	--	--	27 functioning Public Reception and Orientation Platforms (PROPs) in model courts completed during the Life of Project	
3.1.	Increased Professionalism of Citizen Groups and										

⁴ Vushtrri Branch Court furnished. Inauguration on May 19, 2015;

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Base-line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Actual	Program extension period Apr 1 – Aug 15, 2015				Life of Project
							Q1	Q2	N/A	N/A	
Journalists to Monitor Government Activity and Influence Policy											
30	<p><u>Standard F output indicator.</u></p> <p>Indicator 2.1.2-5</p> <p># of USG-assisted campaigns to enhance public understanding; NGO support/media coverage of judicial independence and accountability</p> <p>Unit: #</p>	0	0	8	26	9	1	--	--	44 USG-assisted campaigns to enhance public understanding on judicial independence and accountability completed during the Life of Project	
31	<p>Indicator 2.1.1-2</p> <p>Number of campaigns supported by USG to foster awareness and respect for rule of law</p>	--	0	8	26	9	1	--	--	44 USG-assisted campaigns to enhance public understanding on judicial independence and accountability completed during the Life of Project	

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Base-line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Actual	Program extension period Apr 1 – Aug 15, 2015				Life of Project
								Q1	Q2	N/A	N/A	
32	Number of judges and judicial personnel trained with USG assistance	<p>Indicator 2.1.2-1</p> <p>This indicator counts the number of judges and judicial personnel trained by EROL. The term “judicial personnel” includes only court staff. Each judge or individual judicial personnel can only be counted once during the year (i.e., if a judge attends more than one training in a year, s/he will only be counted once).</p>	--	T=174 J=27 M=20 F=7 Min=0 C=147 M=106 F=41 Min=4	T=836 J=150 M=111 F=39 Min=6 C=686 M=417 F=269 Min=30	T=1,099 J=240 M=172 F=68 Min=7 C=859 M=408 F=451 Min=60	T=235 J=79 M=61 F=18 Min=1 C=156 M=60 F=96 Min=7	T=173 J=0 M=0 F=0 Min=0 C=173 M=85 F=88 Min=5	T=0 J=0 M=0 F=0 Min=0 C=21 M=10 F=11 Min=4	--	--	N/A
33	Number of legal institutions and associations supported by USG	<p>Indicator 2.1.3-8</p>		8	35	35	35	--	--	--	--	--

KOSOVO JUDICIAL COUNCIL SCORECARD

Kosovo Judicial Council Scorecard		Targets and Actual				Remarks
Activity/Initiative	Target Completion (Year)	Actual Completion Year				
		1	2	3	4	
Support drafting of implementation plan LoC	1	X				Final Draft of the Implementation Plan submitted to KJC. Published by KJC December 1, 2011
Rapid assessment to identify focus of efforts (Action Plan)	1	X				Action plan completed in Q2 Yr1.
TA to KJC committees	1	X				KJC appointed Court Administration Committee and Budget, Finance and Human Resources Committee in March 2012.
TA to KJC for building strategic alliances	2			X		EROL continued to assist KJC to build strategic alliance with Federal Judicial Center, Administrative Office of U.S. Courts, State Court Judges and Administrators in Minnesota during a U.S. judicial ethics study tour with a Kosovo Delegation of KJC, ODC, and Court representatives.
Support KJC in inter-Ministerial legislation working groups	2			X		The MOJ has begun to consult on a high level with leaders of stakeholders. So far, however, no proposed changes have been made available to EROL or other advisors.
Support development of follow-on Strategic Plan	3			X		With EROL's support, the KJC has completed and adopted its 5 year Strategic Plan in Yr4 Q1
Support HR functions of KJC						
Define and standardize staff job descriptions	1				*	A process formally began in Q2 involving the Secretariat and Courts through a Working Group which will lead to the distribution of some Secretariat responsibilities to the Courts. Three sub-groups (personnel, budget and finance, and procurement and logistics) held their first meetings This is a complex process involving civil servants and is expected to take more than a year. EROL will support KJC and Courts during this process.
Staff recruitment/selection standards in place	1				*	
Staff promotion standards in place	1				*	
Staff discipline/dismissal standards in place	1				*	
Internship programs functioning successfully	2				*	
Judicial selection procedures improved	1	X				EROL assisted with drafting of Regulation and with OP.
Judicial evaluation procedures improved	1	X				Evaluation of performance of Judges completed, approved by KJC and introduced into force on March 2012.
Judicial promotion procedures improved	1		X			EROL provided substantial support to the KJC Steering Committee's effort to develop criteria for the selection/reassignment of Basic Court judges. The KJC Steering Committee approved 1) instructions for the appointment of president and supervising judges, and 2) regulations on reassignment of judges. EROL prepared a legal analysis of judicial salary setting under the new LoC. At the end of Y3Q4 the Normative Committee presented a regulation on promotion of judges to the Council

Judicial disciplinary procedures improved	1			X		Draft regulations were prepared by EULEX for the Disciplinary Committee in Yr3Q4 which are expected to be before the Normative Committee In Yr4
KJC database for judicial personnel in use	2				*	ECLO is developing this
Track legislation reviewed by legal office	2				*	The legislation referred to in this indicator refers to the package of laws, commonly referred to as “the five laws” that deals with justice sector institutions. Early in the program EROL worked as part of a working group to amend the five laws; however, the MOJ took that process over and has not involved outside technical assistance from EROL. If the MOJ opens the process for additional comment/advice/help, EROL will provide as much as possible. Since there may be no further involvement by EROL, anticipated completion is not scheduled here.
Track implementation of procedures for effective court admin						
Case flow, reception, assignment, management	2			X		EROL has reinvigorated the model court program (MCP) improvement teams at 8 model courts scheduled for MCP initiatives this year. Procedures for ensuring smooth transition to the new court structure under the LoC is well underway with working groups established and working on HR, court admin, public outreach, and logistics requirements.
Case files and records standards and procedures	2			X		All courts have improved records management
Attention to court users	2			X		Web portal assessments (web strategy and web development plans) have been submitted to the KJC for review.
Transparency and information access	2			X		With EROls support a new web portal is being designed and EROL is developing content both for KJC and each individual court. This process is expected to be completed in Yr4 Q2.
Increased and more effective use of automation						
Assess IT needs, CMIS' contributions/gaps, and failure to use	1	X				Database assessment conducted.
Provide recommendations for system operation	2			X		The KJC is developing a new CMIS with support from the Norwegians. EROL has, and is providing, recommendations on the development of the system. The KJC and Norwegian team have been very open and consultative.
Minority outreach efforts						
Draft minority access assessment	1				X	EROL is drafting a regulation related to minority recruitment and advancement within the judiciary.
Draft outreach campaign	1		X			EROL drafted brochures to encourage minority community citizens to enter programs for professional positions in the judicial system – approved by KJC and USAID
Draft requirements for translator program	1			X		EROL provided support to KJC on drafting Regulation for qualification of court translators and interpreters.

KOSOVO PROSECUTORIAL COUNCIL SCORECARD

Kosovo Prosecutorial Council Scorecard	Targets and Actual					Remarks
Activity/Initiative	Target Completion (Year)	Actual Completion Year				
		1	2	3	4	
Facilitate development of strategic plan	1			X		EROL facilitated drafting of KPC Strategic Plan with Council and working group members. In Y3/Q1, a proposed strategic plan was revised and submitted to the KPC Normative Committee in anticipation for consideration and adoption by the full Council in Yr4/Q2.
Facilitate development of annual plans	1			X		EROL facilitated annual planning activities, including macro action plan development, sharing of template in connection with the creation of KPC's Strategic Plan.
Facilitate development of implementation plan and committees	1			X		The Implementation Plan was completed in Yr2, and it was based on a simplified version of the draft developed by USAID/EROL. EROL facilitated the establishment of committees/commissions/working groups, which are included in an amended regulation on the organization and activity of the KPC
Instruction manual (SOP) with regulations, policies, procedures	1			X		In Yr2, EROL drafted various guidelines and plans in the spheres of PR communications and website design for the KPC. EROL also assisted in drafting/amending the Five Justice Sector Laws, several pieces of secondary legislation, Ethics Codes for KPC Members, Prosecutors, and Support Staff, and the KPC's Strategic Plan. In Y3/Q1, EROL continued to support KPC drafting activities.
Support implementation of SOP across KPC	1			X		EROL participated in working groups that assisted KPC in drafting/amending regulations concerning discipline ⁵ and prosecutor performance & evaluation, and an administrative instruction on setting annual performance norms, and amendments to amended regulation on the organization and activity of the KPC.
Develop job descriptions/TORs for KPC Secretariat staff	1		X			In Yr2, job descriptions were developed and revised as part of the strategic planning process as part of a collaboration with ECLC and the KPC
Train KPC in needs-based budgeting and justification	1			X		In Yr3/Q1, EROL and the KPC examined budget issues and identified specific needs through the strategic planning process. More concrete plans will be put in place with Action Plan development.
Legislative drafting support: secondary legislation	1			X		In Yr2, EROL participated in working group that assisted KPC draft/amend regulations concerning discipline ⁶ and prosecutor performance & evaluation, and an administrative instruction on setting annual performance norms. In Y3/Q1, EROL continued to provide technical assistance in support of KPC drafting activities.

⁵ By agreement, EUOK is responsible for the development of disciplinary regulations, and EROL is responsible for ethics matters.

⁶ By agreement, EUOK is primarily responsible for advising the KPC on disciplinary activities.

Development of new staff training module	1				X	This is included in the draft strategic plan and EROL provided significant support to its development. However, the KPC is currently undergoing a change in leadership (Chief State Advocate). Once the CSA is appointed and is engaged in this effort, EROL will support it.
Draft public relations strategy	1				X	EROL finalized and presented to KPC for consideration public relations strategy, media guidelines and a crisis communication plan. EROL transmitted a proposed Communications Plan to the KPC Normative Committee in Yr3/Q1. Now that the KJC has adopted a Communications Strategy, the KPC has asked for EROL support to revisit the proposed plan and develop its own Communications Strategy.
Draft public relations training modules and materials	1				X	In Yr3/Q1, EROL provided technical assistance to the KPC regarding training modules for a new KPC spokesperson and specially-designated prosecutors/public information officers. Since then EROL has included KPC PR officers in its training of court PIOs
Train public relations staff	1				X	In Yr2, EROL trained KPC staff/spokesperson. In Y3/Q1, EROL provided technical assistance to the KPC regarding training of a new KPC spokesperson and specially designated prosecutor/public information officers. EROL provided training for the KPC PIO along with PIOs for the KJC, KJI and each of the courts in Yr3Q3. Since then EROL has included KPC PR officers in its training of court PIOs
Support formulation of external/internal communication plans	2				X	In Yr2, EROL finalized and presented to KPC for consideration public relations strategy, media guidelines and a crisis communication plan. In Y3/Q1, EROL transmitted a proposed Communications Plan to the KPC Normative Committee in anticipation of consideration and approval by the full Council. Now that the KJC has adopted a Communications Strategy, the KPC has asked for EROL support to revisit the proposed plan and develop its own Communications Strategy.
Incorporate public messages into overall outreach activity	2				X	In Yr2, EROL drafted media guidelines and conducted Media and the Criminal Justice Workshop attended by legal professionals and journalists. In Y3/Q1, EROL provided technical assistance to the KPC regarding the integration of a new KPC spokesperson and specially designated prosecutor/public information officers into KPC public outreach strategies.

MINISTRY OF JUSTICE SCORECARD

Ministry of Justice Scorecard	Targets and Actual					Remarks
Activity/Initiative	Target Completion (Year)	Actual Completion Year				
		1	2	3	4	
Legislative drafting						
Draft training modules	2		X			Legal Process workshop in Peja conducted during Q2. Eight professionalization training modules were under development during Q3.
Implement training program in legislative drafting	1	X				Workshop completed on public policy analysis and development and on public input and legislative drafting. Legal Process workshop in Peja conducted in Yr2 Q2.
Draft legislative enactment plans	1	X				Public policy analysis and development protocol completed
Define guidelines for public participation	1	X				Guidelines for Public Consultation were published by GOK in Sep 2011
Capacity development for public participation	1			X		Workshops on Legislative Drafting, including drafting of secondary legislation and protocols for public participation, were conducted.
Support for secondary legislation drafting	1			X		
International Legal Cooperation Department (ILCD)						
Training needs analysis report	1	X				Per agreement with EULEX/ECLO, EROL providing training on civil aspects of legal cooperation (excluding family law)
Develop training modules for ILCD	2		X			Training Module developed and provided.
Develop international legal assistance manual	1	X				Conducted 2-day workshop on international legal cooperation in civil matters and delivered Practice Manual
Training MOJ officials in implementation of roles	1	X				Conducted 2-day workshop on international legal cooperation in civil matters and delivered Practice Manual. In Yr2Q1, prepared a comprehensive sensitive case file use and storage protocol, which was accepted for use by the Acting Director of the ILCD. The training on the negotiation, conclusion and implementation of bilateral agreements on civil matters was successfully delivered on 3-4 October 2013. In Yr4 Q1 EROL delivered three training sessions regarding the international legal cooperation in civil matters for the legal officers at the DILC and for the civil judges from the Basic Courts in Kosovo. 5 (five) legal officers from the MoJ/DILC have attended the program while 60 judges from the basic court in Kosovo have attended the program. The first training was conducted on 28-29 April 2014, and continued with

						the second training on 19-20 May, concluding with the third training on 20-21 June 2014.
Complete agreements with interested nations	2				*	To support the DILC in its efforts to conclude agreements with other nations, EROL has prepared a practice manual on international legal assistance in civil matters. To support the DILC in its efforts to conclude agreements with other nations, EROL has prepared a practice manual on international legal assistance in civil matters, Guide is designed to assist the legal practitioners in the Ministry of Justice in understanding and implementing their legal and procedural obligations with respect to requests to and from Kosovo. It is also designed to provide assistance to the DILC in developing and/or clarifying internal and inter-institutional processes for handling cases.
Exchanges with EJN and EuroJust	2				*	This has not been interest from the DILC to support the MoJ in its activities regarding exchanges with EJN and EuroJust. Therefore, no activities have been initiated nor is there anything to report.
Litigation Unit						
Training needs analysis report	1	X				Three (of six) lawyers in Division for Judicial Litigation attended NITA-style trial advocacy training conducted by KJI; EROL prepared proposal to the Department for Legal Affairs to define and increase MOJ capacity to represent GOK in litigation.
Develop training modules	2				*	EROL's work with the litigation unit of the MOJ (State Advocate's Office) was postponed until appointment of a new state advocate general. Even though that appointment is not anticipated in the near future, EROL is ready to implement training programs for SAO attorneys and professional associates immediately. EROL in Year 4 is also prepared to submit a concept paper to form a working group preparing draft SAO regulations.
Training in inter-Ministerial coordination for litigation	2				*	
Training in oral and written advocacy skills	2				*	
ToT for local trainers	2				*	
Training in administrative litigation	3				*	
Training in civil litigation	3				*	
Compilation of training into a reference book	2				*	

OFFICE OF THE PRESIDENT SCORECARD

Office of the President Scorecard	Targets and Actual					Remarks
Activity/Initiative	Target Completion (Year)	Actual Completion Year				
		1	2	3	4	
Report on justice-related competencies of OP	1				X	An assessment of the justice-related competencies of the OP from the perspective of the Kosovo Constitution and the relevant legislation has been completed in the form of specific reports and concrete analysis, which have critically examined the role of the President in the justice sector and the interaction with the Kosovo Judicial Council and the Kosovo Prosecutorial Council regarding the process of judicial and prosecutorial appointments
Establish working group per Project design TORs	1	X				Working groups are identifiable and operational. This constitutes the technical level group, which is comprised of the representatives from the PO and the KJC and KPC Secretariat.
Support creation of coordination mechanisms	1	X				Coordination mechanism as locus for institutional interaction and policy coordination [to address policy options, and to analyze or resolve legal conflicts or inconsistencies on matters involving but not limited to judicial and prosecutorial appointments] have been established and are operational. The coordination mechanisms include the PO Legal Advisor (including the Head of the PO Legal Department) and the Director of the KJC/KPC Secretariat.
Intra-governmental roundtables	1	X				The 3 rd in a series of Intra-Governmental Roundtables was held in Q4 (06 March 2012). The roundtables explored many issues of judicial and prosecutorial appointment/transfer/dismissal, and simultaneous applications to the KJC and the KPC by the same applicant.
Draft PR strategy	1		X			EROL has finalized the drafting of the media relations guidelines for the Office of the President. The purpose of the guidelines is to give effect to democratic principles of transparency and public participation in the justice system of Kosovo in order to ensure judicial and prosecutorial independence, impartiality and integrity and the fair administration of justice in the Republic of Kosovo.
Train public relations team members	2		X			In Year 2, EROL conducted a series of PR training sessions for the OP team in order to empower the professional skills in media interaction and enhance thus the President's communication with citizens on justice related matters. The following activities were undertaken to accomplish this objective. EROL conducted on October 24, 2012, a workshop for OP public officers on the development of a communications strategy. The workshop introduced participants with the contemporary approaches and techniques in overcoming public communication barriers, ensuring qualitative message delivery, and strategies for communicating matters

						involving judicial and prosecutorial appointments. On February 22, 2013, EROL conducted the other workshop with the justice sector institutions, including the Office of the President to discuss the media relations guidelines as prepared by EROL STTA.
Include outreach messages in overall PR strategy	3			X		Outreach messages in the PR strategy for the Office of the President have been included and are now part of the Media Relations Guidelines for the Office of the President.
Support drafting of written protocols/circulars/guidelines	2	X				KJC Administrative Instructions (2) on the Submission of Proposals for Appointment of Candidates as Judge/Prosecutor; PO Regulations (2) on the Appointment of Candidates proposed as Judges/Prosecutor. EROL provided PO with legal research and advice on matters pertaining legislation review, constitutional authority of pardon, and judicial and prosecutorial appointments. EROL continued to provide support for the Office of the President in the area of legal drafting and legislative review including but not limited to the development of procedures and protocols for the review of enacted legislation prior to its promulgation. EROL completed the Language English Program (LEP) for the legal team of the President’s Office.
Support agencies to implement protocols	2		X			EROL supported the OP in the implementation of the technical guidelines for the exercise of OP constitutional competencies with regard to the return of laws for reconsideration prior to promulgation. The result is that the OP is reviewing the legislation on the basis of the EROL designed guidelines. In addition, a team of legal officers of the OP attended the Legal English Program as developed by EROL. The program has successfully strengthened the professional capacities of the OP in providing better quality of legal services and has enhanced the process of the implementation of the existing legal framework and protocols. EROL in cooperation with NDI Kosovo hosted two Intra-Governmental Roundtables regarding challenges confronting the process of drafting secondary legislation and its implementation. Participants from the OP, the AoK, MoJ, KJC and KPC have highlighted a variety of technical problems in the process of drafting secondary legislation, including preparation of the fiscal and regulatory impact assessment as documents for ensuring efficiency, practicability and implementation of the draft legislation. EROL has taken an active role approaching the OP legal team to prepare and revise the existing protocols and rules regarding aspects of judicial and prosecutorial appointments. EROL and OP are in the process of publishing the guidelines on the review of laws enacted by the legislature.
Train legal officers of OP	2		X			In July 2012, EROL conducted a two-days training in the legislative drafting process. The training was attended by the legal officers of the PO, the KJC, the KPC and the MoJ. In October 2012, EROL conducted a two-day workshop on the “legislative review process”. The training was attended by the legal officers of the President’s Office and the Assembly of Kosovo. EROL conducted the training on the process of drafting of secondary legislation, which was held on 4-5 July 2013. The training aimed at supporting the legal teams of the OP, the AoK, the MoJ, the KJC and the KPC to draft secondary legislation following the entry into force of a new regulatory framework on legal drafting in Kosovo.

CONSTITUTIONAL COURT SCORECARD

Kosovo Constitutional Court Scorecard		Targets and Actual				Remarks
Activity/Initiative	Target Completion (Year)	Actual Completion Year				
		1	2	3	4	
Needs Assessment - expertise and information needs of judges	1	X				EROL is preparing topics for a judicial training conference to be held in Q1 or Q2 in Year Two of Program
Support program and materials for CC judges drafted	1		X			EROL elicited and organized the presentations of eight formal presentations on substantive constitutional and legal issues for the international conference on Human Rights sponsored by EROL and Constitutional Court, on June 29-30, 2012.
Training modules developed for new CC judges	1		X			
Support attendance at regional or international conferences	1		X			
Needs Assessment - training needs for legal advisors	1	X				Training Needs Assessment Completed
Training modules developed for legal advisors	1	X				Workshop conducted at end of Q2 and second workshop done in Q4
Training provided to legal advisors	1	X				Workshop conducted at end of Q2 and second workshop done in Q4
Exchanges with international jurists (visits to Kosovo or travel)	1		X			Target completed through the above conference, which included presentations by judge who served on European Court of Human Rights, two federal court judges from United States, and one lawyer from Ireland.
Preparation of research papers for conference	1		X			
Conference on constitutional jurisprudence and adjudication	1		X			
Internship program launched (year 2) and monitored (2-4)	2				*	KCC asked us to defer on this and provide training to legal advisors
Materials created and distributed as bench references	2		X			EROL prepared summaries of the 93 cases decided in 2011, as well as a complete subject matter index, for inclusion in the Court's Bulletin of Case Law 2011, which will be widely distributed to judges and other legal professionals for use and reference manual.
Library needs assessed and materials procured	2				*	GIZ is doing this
Training module developed for internet research	2		X			The Legal English Program Legal Research Module, prepared in conjunction with KJI, will be offered to legal advisers and legal researchers with sufficient English language proficiency at Constitutional Court.
Reference manual created and distributed	3			X		As part of that process, in Yr3/Q1, EROL and KCC representatives distributed a special international human rights edition of "E Drejta", which is the result of a

						KCC/EROL/Law Faculty collaboration, and provides guidance on the implementation of international human rights mandated by the Constitution, which was released to judges of the Court, KCC legal support staff members, the “ordinary” courts and legal support staff members, law professors, students, lawyers, and members of the public in hard copy and in electronic format on institutional online Websites.
ToT in adult learning principles	2		X			Training for Legal Advisers completed.
Local and international trainers train advisors together	3	X				Legal Advisor Training conducted.
Local trainers begin to train on their own	3	X				Orientation and training for new researchers conducted by CC Trainers using EROL-produced materials.
Deploying software for full-text searchable decisions online	3			X		In Yr3/Q2, the KCC database/search engine was fully deployed. The full-text searchable feature is available in Word format, and is being debugged in the PDF format; the full-text search feature is expected to be available during Y3/Q3 or Y3/Q4.

KOSOVO JUDICIAL INSTITUTE SCORECARD

Kosovo Judicial Institute Scorecard	Targets and Actual					Remarks
Activity/Initiative	Target Completion (Year)	Actual Completion Year				
		1	2	3	4	
Assessment of KJI structure and curriculum, and their degree of alignment with LoP and LoC	1	X				EROL team conducted Kosovo Judicial Institute Initial Legal Education Program Assessment on March 2012
Draft training courses	1	X				In the CLEP Assessment, EROL undertook the responsibility for the preparation of several course modules for presentation in 2012. Drafts of two courses have been completed
Training of Trainers (TOT)						
Training of trainers program developed	1		X			In conjunction with KJI instructors selected by the Director, EROL prepared modules Legal Reasoning and Writing, Court Management, Case Management, and Judicial Ethics with interactive learning features that were introduced to all KJI instructors. Several programs were delivered with fulltime and adjunct KJI instructors participating in Q4.
ToT program carried out with KJI instructors	1		X			The above courses with TOT features were presented in Yr2 Q4; Two KJI trainers were trained to deliver the Workshop for Judges on Mock Trial (Civil) for the Kosovo Judiciary and the Information & Communications Technology (ICT) Considerations Module for the Kosovo Judiciary during Yr3/Q3 Target Completed in for Yr4 in Q1 – with delivery of Resilient Leadership ToT, May 26-28, 2014.

English language TOT training						
Training of trainers program developed	1		X			Legal English Program TOT Curriculum, Legal Research Module, Lower Intermediate Module, Intermediate Module and International Legal Cooperation in Civil Matters Curriculum conducted and completed during Yr2 Q1, courses presented in the CLEP and ILEP Programs.
ToT program carried out with KJI instructors	1		X			Legal English Program TOT Curriculum, Legal Research Module, Lower Intermediate Module, Intermediate Module and International Legal Cooperation in Civil Matters Curriculum conducted and completed during Yr2 Q1, courses presented in the CLEP and ILEP Programs. In Y3/Q1, an EROL trainer mentored KJI trainers in the delivery of the ICT Considerations for the Kosovo Judiciary program.
Training program on OSCE recommendations prepared	1		X			OSCE reports have been analyzed and administrative staff shortcomings are being addressed in a Best Practices course developed. In conjunction with KJI instructors selected by the Director, EROL is preparing a course module on court administration staff best practices. The course module development began in Yr2 Q3, continued during Q4. The Model Court Program delivered a series of professionalization classes to court support staff during implementation on the new law on courts.
STTA provided in holding judicial conferences	1			X		In January 2014 EROL provided an STTA to moderate and organize the KCC Conference on Self-Executing Nature of KCC Decisions.
Judicial conferences held	1			X		Conference on Self-Executing Nature of KCC Decisions took place in January 2014
Develop list of potential local and int'l partner institutions	1	X				List prepared and submitted to KJI.
Support development of relationships with institutions	1					EROL Team is coordinating study tour for KJI to the National Judicial College (NJC) for Nov 2014
Support to attend international conferences	1			X		KJI Director attended the International Organization for Judicial Training (IOJT) Conference in Washington D.C. in 2013 and EROL is encouraging wider participation of KJI staff at the next IOJT Conference.
KJI website enhanced						
Include reference materials and legal information on site	1			X		Full deployments of the KJI software and website happened in Yr3/Q2, and training of KJI staff was completed in Yr3/Q3.
Develop test version of KJI website	1			X		
Develop draft database of trainees	1			X		
Develop distance learning demonstration course	1			X		
Distance learning platform and catalog deployed and in use	2			X		KJI database and distance learning platform completed in Y3.

MODEL COURTS PROGRAM SCORECARD⁷

Model Courts Scorecard		The Supreme Court	Pristina District Court ⁸	Gjilan District Court ⁹	Lipjan Municipal Court ¹⁰	Istog Municipal Court ⁴	Viti Municipal Court ⁴	Rahovec Municipal Court ⁴	Suhareka Municipal Court ⁴
KEY STANDARD									
1	Reorganize administrative duties between Presiding Judge and Court Administrator	2	2	2	2	2	2	2	2
2	Develop and implement a Court Training Plan	2	2	2	2	2	2	2	2
3	Maintain and updated open and closed case files accurately and chronologically	2	2	2	2	2	2	2	2
4	Develop and implement a plan for reduction of case backlogs in all types of cases	2	2	1	1	1	1	1	1
5	Develop and implement a plan for compliance with case processing time standards	1	1	1	1	1	1	1	1
6	Streamline procedures for effective procurement and use of court logistics and supplies	2	2	2	1	1	1	1	1
7	Enhance court communication with the public	2	2	2	2	2	2	2	2

⁷ The MCP Scorecard 1 includes first eight participant courts on EROL MCP as per their operation under former courts structure.

⁸ As foreseen by the new LoC the Pristina District Court Jurisdiction from January this year is converted to the Pristina Basic Court and Court of Appeals. As per KJC and USAID agreement the Pristina District Court building was refurbished and transferred to the Court of Appeals. The MCP activities were focused on supporting new courts, the Court of Appeals and the Pristina Basic court.

⁹ As foreseen by the new LoC, the Gjilan District Court and Gjilan Municipal Court are converted to one court - Gjilan Basic Court. The MCP assisted both courts on reaching the MCP standards and also implementing the new LoC

¹⁰ The Municipal Courts as are listed on the scorecard 1 (Lipjan MC , Istog MC, Viti MC, Rahovec MC and Suheraka MC) starting from January 2013, as foreseen on the new LoC are converted to branch courts to their respective Basic courts.

8	Improve accessibility and security of court facilities	3	3	3	3	3	3	3	3
9	Ensure that court proceedings are open and that all that appear before the court have the opportunity to participate effectively	3	3	3	3	3	3	3	3
TOTAL:		19	19	18	17	17	17	17	17

MODEL COURTS PROGRAM SCORECARD^{11-II}

Model Courts Scorecard										
KEY STANDARD		Pristina Basic Court -Podujeva Branch ¹²	Pristina Basic Court – Gillogove Branch ⁶	Ferizaj Basic Court –Kacanik Branch ⁶	Gjakova Basic Court –Klina Branch ⁶	Gjakova Basic Court –Maliseva Branch ⁶	Peja Basic Court – Decan Branch ⁶	Prizren Basic Court – Dragas Branch ⁶	Mitrovica Basic Court – Vushtri Branch ⁶	Court -Sterpce Branch ¹³
1	Reorganize administrative duties between Presiding Judge and Court Administrator	2	2	2	2	2	2	2	2	2
2	Develop and implement a Court Training Plan	2	2	2	2	2	2	2	2	1
3	Maintain and updated open and closed case files accurately and chronologically	2	2	2	2	2	2	2	2	2
4	Develop and implement a plan for reduction of case backlogs in all types of cases	1	1	1	1	1	1	1	1	0
5	Develop and implement a plan for compliance with case processing time standards	1	1	1	1	1	1	1	1	0

¹¹ The MCP Scorecard 2 includes second eight new participant courts that joint EROL MCP on the Yr2 Q4.

¹² As foreseen on the new LoC the Branch Courts operate under the Basic Courts which

¹³ During this year EROL added Ferizaj Basic Court – Branch of Sterpce to the MCP activities.

6	Streamline procedures for effective procurement and use of court logistics and supplies	1	1	1	1	1	1	1	1	1
7	Enhance court communication with the public	1	1	2	1	1	1	2	1	1
8	Improve accessibility and security of court facilities	3	3	3	2	2	3	3	1	2
9	Ensure that court proceedings are open and that all that appear before the court have the opportunity to participate effectively	1	2	2	1	1	1	2	1	1
TOTAL:		14	15	16	13	13	14	16	12	10

EROL MODEL COURT PROGRAM– PMP SCORING DESCRIPTION CRITERIA

Key Standard	Scoring	
	Score	Criteria
Reorganize administrative duties between Presiding Judge and Court Administrator	0	No formal description of court administrative responsibilities.
	1	Assessment of court administrative functions completed.
	2	Plan for division of responsibilities developed and implemented. With the endorsement of the new Regulation on Court Internal Operations EROL facilitated discussions to clarify the roles and responsibilities of President Judges and Court Administrator. Additionally EROL assisted the Supervisory Judges and Assistant Administrators in the Branch Courts understand the appropriate communication chain between the Branches and the main office of the Basic Court.
	3	Results of implementation reviewed, plan adjustments considered.
Develop and implement a Court Training Plan	0	No formal Court Training Plan.
	1	Assessment of training needs completed.
	2	Court Training Plan developed and implemented. During the Y 2 Q1, Q2 and Q3 EROL conducted a significant number of training programs for court staff relevant to the implementation of the new court structure. Trainings were focused on change management, case transfer, new case registers, communications, time stamps, data base use and statistics.

Key Standard	Scoring	
	Score	Criteria
	3	Results of implementation reviewed.
Maintain and update open and closed case files accurately and chronologically	0	No written plan for file management.
	1	Status of current file management assessed and deficiencies noted.
	2	Plan for case record maintenance, updating, and routing with accountability noted adopted. EROL MCP developed a database program that will streamline the workflow, as well as enable the KJC Sec and Courts in collecting more reliable and accurate statistical data.
	3	Status of file management reviewed.
Develop and implement a plan for reduction of case backlogs in all types of cases	0	No formal plan for backlog reduction/prevention.
	1	Assessment of current case backlog completed. Through database and data entry personnel the EROL MCP is collecting data for all pending cases. At this stage the courts are able to identify cases by party name and filing date.
	2	Plan for reducing backlog, with targets and responsibilities, adopted.
	3	Case backlog reassessment completed and changes to the plan undertaken.
Develop and implement a plan for compliance with case processing time standards	0	No formal plan for compliance with case processing time standards.
	1	Assessment of case processing procedures completed. Through database and data entry personnel EROL MCP is collecting data of all pending cases as well as cases with a disposition date after 2013. At this stage the courts are not able to identify cases by disposition date since data entry process is ongoing.
	2	Plan for timely processing of cases and compliance with time standards developed and adopted.
	3	Case processing procedures reassessed and changes to the plan identified.
Streamline procedures for effective procurement and use of court logistics and supplies	0	No procedures for effective procurement and use of court supplies developed.
	1	Inventory of court logistics and supplies completed. Under the new court internal structure significant improvements were achieved across the courts in Kosovo. Merge and consolidation of the Basic Court logistic offices and inventory and update of the listed information are positive highlights that deserve to be acknowledged as improvements toward accountability on the maintenance and use of court inventories and equipment

Key Standard	Scoring	
	Score	Criteria
	2	Plan for tracking and managing use of supplies developed. As the new court internal structure was developed by the sub-working group on human resources and became effective January 2013, each basic court recruited a staff member who will deal with court logistic issues. This effort will improve the supply tracking system and enhance communications with KJC Secretariat.
	3	Evaluation of the supply and inventory system completed with problems identified.
Enhance court communication with the public	0	No organized public communication or community outreach.
	1	Identification of court outreach activities to enhance court/community relations. During the quarter 3 and this quarter as well, EROL successfully managed to develop and finalize the designs plans for refurbishment on branch courts of Klina, Decan, Podujeva, Malishevo and Sterpce. The developed design plans successfully address all standards for improvements in area of communication, access, transparency and safety.
	2	Plan for public communication and community outreach developed. EROL MCP, in conjunction with the EROL communication specialist and STTA, facilitated communication training for court information coordinators and court administrators. A court signage plan has been developed for all MCP courts undergoing refurbishment. Court directories and information booths are in place. Designing and printing of court brochures are in the process of finalization.
	3	Outreach activities monitored and changes made to the plan based on evaluation.
Improve accessibility and security of court facilities	0	Court is not safe and accessible.
	1	Facility evaluation completed for potential safety and accessibility improvements.
	2	Plan for improvements in facility safety and accessibility developed and construction activities started. The refurbishment design plans and specifications incorporate all necessary measures to increase safety in the courts. Additionally the designs improve access and transparency to all court operations. During this quarter the refurbishment activities were completed in Kacanik court;
	3	Facility improved and reassessment completed. In addition to last quarter where 2 courts completed the refurbishments, in this quarter 5 other courts completed refurbishments. With the refurbishment completion of these 5 courts the improvements increased the safety, access and efficiency of court operations.
Ensure that court proceedings are open and that all that appear before the court have the opportunity to participate effectively	0	Public access to court hearings is limited or haphazard.
	1	Barriers to access identified (including physical, language, gender, security, ethnic barriers).
	2	Plan for improvement to eliminate barriers to access developed. Designs for refurbished facilities increased the number of courtrooms by 100% over current court use. This increase will enable more members of the public to attend open hearings and court sessions. In each of the refurbishment designs is foreseen increase of the court rooms up 100% more that currently court use. So, the increase of the court rooms which enable courts to receive more public to the open hearings. Courts successfully continued publishing court hearings through the monitors on public area.
	3	Accessibility reassessed and plan modified based on new information.